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LEGISLATIVE HISTORY

Public Law 23--78th Congress

Chapter 33--1st Session

S. 886

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DIGEST OF PUBLIC LAW 23

SELECTIVE-SERVICE DEFERMENT OF FEDERAL EMPLOYEES.

Reaffirms the executive order setting up a procedure for determining whether an executive-branch employee is essential, sets up a similar procedure for legislative and judicial employees, and requires the names of those deferred to be sent to Congress.

Summary and Index of History on S. 886.

March 16, 1943	Introduced by Senators Lodge and Maybank. Referred to the Senate Committee on Military Affairs.
March 17, 1943	Senate Committee reported without amend- ment. S. Rept. 120. Print of bill as re- ported.
March 26, 1943	Debated, amended, and passed Senate.
March 27, 1943	Referred to House Committee on Military Affairs. Print of bill as referred.
March 31, 1943	House Military Affairs Committee reported without amendment. H. Rept. 333. Print of bill as referred to whole House.
April 1, 1943	Debated and passed House without amend- ment.
April 8, 1943	Approved. Public Law 23.

dized farm credit in destructive competition with the banks of this country; and

"Whereas the control of agricultural credit should not be subject to the play of political forces, nor should it be subsidized with public money; and

"Whereas the banks of the State of Colorado have invested more than \$225,000,000 in Government securities, which funds are now proposed to be used in competition with them in that the Regional Agricultural Credit Corporation has been revived, and granted \$225,000,000 to carry out its work: Now, therefore, be it

"Resolved by the senate of the thirty-fourth general assembly (the house of representatives concurring herein), That this assembly go on record as recognizing the right of farmers to establish, operate, and maintain cooperative enterprises, but as vigorously opposing the subsidization of agricultural credit by the various agencies of the Farm Credit Administration; and be it further

"Resolved, That this assembly go on record as favoring the restriction of the activities of the Farm Credit Administration to those of serving agricultural credit needs which for reasons of safety, advisability, or legal restriction cannot be adequately served by private lending agencies; and that the future activities of the Farm Credit Administration be restricted to these supplementary aids to agriculture for which it was originally created, and as vigorously opposing the further extension of socialized credit; and be it further

"Resolved, That this assembly go on record as strenuously objecting to the present attack on private lending institutions and recommending the recall of the directive of the Secretary of Agriculture reactivating the Regional Agriculture Credit Corporation, and denying the use of the public funds to the same; and be it further

"Resolved, That a copy of this resolution be transmitted to the President of the United States; to each of the Senators and Representatives of the State of Colorado in the Congress of the United States; to all members of the Appropriations Committee of the House of Representatives; to the members of the Board of Governors of the Federal Reserve Bank; to the Comptroller of the Currency; to the Chairman of the Federal Deposit Insurance Corporation, and to the Honorable Claude R. Wickard, Secretary of Agriculture."

A joint memorial of the Legislature of the State of Colorado; to the Committee on Interstate Commerce:

"Senate Joint Memorial 7

"Whereas the narrow-gage lines of the Denver & Rio Grande Western Railroad Co. serve approximately 85,000 inhabitants of southwestern Colorado as their only railroad outlet from such district;

"Whereas said narrow-gage lines of railroad are vitally necessary for the transportation of agricultural crops and livestock, and strategic war metals, such as zinc, lead, copper, and vanadium;

"Whereas other forms of transportation are inadequate to supplant said narrow-gage lines;

"Whereas the United States Government has heretofore requisitioned and taken 7 of the largest and newest type of narrow-gage locomotives from said railroad lines, which then left only 41 narrow-gage engines in the possession of said the Denver & Rio Grande Western Railroad Co.;

"Whereas the United States Government through its Army is now endeavoring to requisition three more of the largest and newest type of the narrow-gage locomotives used in said lines of railroad; and

"Whereas if said three locomotives now under consideration by the Army of the United States Government are taken from said nar-

row-gage system the Denver & Rio Grande Western will be unable adequately to transport such vital war necessities as crops, livestock, and strategic metals: Now, therefore, be it

"Resolved by the Senate of the Thirty-fourth General Assembly of the State of Colorado (the House of Representatives concurring herein), That protest is made hereby to any present, future, and further requisitioning of narrow-gage locomotives and other railroad equipment in the State of Colorado which would have an adverse effect upon the transportation facilities of this State, with a resultant unfavorable deterrent upon this State's war effort; be it further

"Resolved, That a copy of this memorial be forwarded to Franklin D. Roosevelt, President of the United States of America, to the Office of Defense Transportation, and to each of the United States Senators and Representatives in Congress from the State of Colorado so as to urge their vigorous support in accomplishing the purpose of this memorial."

MEMORIAL OF THE NEW MEXICO LEGISLATURE

Mr. HATCH. Mr. President, I ask consent to present and ask to have appropriately referred and printed in the RECORD a joint memorial by the Legislature of the State of New Mexico, to the President and the Congress of the United States of America, pertaining to the continued operation of the State's unemployment compensation program, under State law and administration, as opposed to nationalization of the system under Federal law.

There being no objection, the memorial was received, referred to the Committee on Finance and, ordered to be printed in the RECORD, under the rule, as follows:

Senate Joint Memorial 4

Joint memorial of the State of New Mexico and the sixteenth legislature thereof to the President and the Congress of the United States of America, pertaining to the continued operation of this State's unemployment compensation program, under State law and administration, as opposed to nationalization of the system under Federal law

Whereas the State of New Mexico, through its legislature and appointed officials, has established and maintained under its laws since December 1936, a system of unemployment compensation by which cash benefits have been paid to its unemployed wage earners from a fund made up of contributions by New Mexico employers, which system has been characterized by the just and prompt payment of benefits and the exaction of the minimum sustaining contribution from employers; and

Whereas, although the President and the Congress of the United States, in 1935, after studies by the President's own committee on economic security, not only recommended but urged the adoption of such programs by the several States as the best instruments for the administration of such a local function, there nevertheless has now developed a campaign in certain other quarters hostile to State and local government, to centralize the entire program of unemployment compensation, including the appropriation of the present State funds, into a national system administered from the Nation's Capital under Federal laws; and

Whereas the present system of unemployment compensation as a State program has permitted administration by local officials in close personal touch with the employers and wage earners affected, free from the evils of rigid Nation-wide uniformity in disregard of

local needs and conditions, and the evils of delay and confusion in the payment of benefits whose promptness and fairness are vital, which evils might characterize the administration of a centralized program under Federal laws: Now, therefore, be it

Resolved, That the House and the Senate of the Sixteenth Legislature of the State of New Mexico join in making known their concern that the principle of the division of powers inherent in our dual system of government, under which the States through their people have happily retained the management of their local affairs and concerns, is imperiled; be it further.

Resolved, That the President and the Congress of the United States of America be and they are petitioned and memorialized to recognize, as they did in 1935, the proposition that the payment of unemployment compensation to wage earners in New Mexico out of funds contributed by its employers is a local concern and a function most economically, efficiently, and fairly administered by local officials under State laws; be it further

Resolved, That certified copies of this resolution, under the great seal of the State of New Mexico, in order that the same may be appropriately brought to the attention of the President and the Congress of the United States, be forwarded to the Honorable CARL A. HATCH and the Honorable DENNIS CHAVEZ, Senators from the State of New Mexico, and to the Honorable CLINTON P. ANDERSON and the Honorable ANTONIO M. FERNANDEZ, Members of the House of Representatives from the State of New Mexico.

RESOLUTIONS OF TOWN OF RANDOLPH, VT.—FOOD PRODUCTION

Mr. AIKEN. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the town of Randolph, Vt., at its annual town meeting held on March 2. Similar resolutions relating to food production were adopted at their respective annual meetings by 36 other Vermont towns, as follows: Andover, Benson, Bethel, Brandon, Bridgewater, Calais, Cambridge, Canaan, Cavendish, Chester, Concord, Dummerston, Enosburg, Guildhall, Hartland, Hyde Park, Ira, Middlebury, Morristown, Norwich, Pittsford, Plymouth, Pomfret, Reading, Richford, Rupert, Springfield, Stockbridge, Stowe, Vernon, Waterbury, Weston, West Windsor, Weybridge, Williamstown, and Woodstock.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Whereas Vermonters are called upon to break all previous farm-production records in 1943 to provide much needed wartime food supplies for our armed forces, our allies, and our civilian population; and

Whereas Vermont farmers are faced with serious wartime obstacles including the scarcity of farm labor, farm machinery, livestock feeds, fertilizers, and other production factors, together with uncertainty as to whether farm returns will keep pace with rising production costs: Therefore be it

Resolved, That the citizens of the town of Randolph pledge their unstinting efforts to further the production of food for freedom during 1943.

Resolved, That the citizens of the town of Randolph pledge their willingness to do everything possible to help local farmers produce and harvest food.

Resolved, That the citizens of the town of Randolph hereby petition the Federal Government to take all essential steps to the end that farmers may be assured of sufficient la-

bor, machinery, and equipment, livestock feeds, fertilizers, gasoline, and other production factors, together with fair returns for the work, investments, and risks involved in increasing production.

Resolved, That a copy of this resolution be sent to the Honorable Claude R. Wickard, United States Secretary of Agriculture and to the Members of Vermont's delegation in the Congress of the United States.

RESOLUTION OF TOWN OF TOWNSEND, VT.—WINNING OF VICTORY AND PEACE

Mr. AIKEN. Mr. President, I also present for appropriate reference and ask unanimous consent to have printed in the *RECORD* a different resolution adopted by the town of Townsend, Vt., at its meeting, which was likewise held on March 2. Similar resolutions relating to the winning of the victory and to the peace that will follow were adopted at their meetings by six other Vermont towns, as follows: Benson, Middlesex, Richford, Sherburne, Stowe, Waterbury.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the *RECORD*, as follows:

Whereas the Axis governments in their folly and madness and crime conceive that they are wise enough and strong enough to destroy and annihilate other nations and to rule the world;

Resolved, That the town of Townsend pledges to help win, at whatever personal cost, the victory which will erase forever from the minds of all men ideas of "master races" and of people who have the destiny and the power to dominate and enslave other peoples.

Resolved, That the town of Townsend pledges to help work for a peace in which the United States recognizes to the full and fulfills her responsibilities in a world of free peoples; and

Resolved, That copies of this resolution be sent to the President of the United States and to Members of Congress.

REPORTS OF COMMITTEE ON CLAIMS

The following reports of the Committee on Claims were submitted:

By Mr. ELLENDER:

S. 257. A bill for the relief of Christine Lund; with an amendment (Rept. No. 115);

S. 339. A bill for the relief of Etta Houser Freeman; with amendments (Rept. No. 116); and

S. 854. A bill for the relief of the First National Bank of Huntsville, Tex., without amendment (Rept. No. 117).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKS:

S. 877. A bill to reduce the rate of interest on loans secured by United States Government Life Insurance to 3 percent per annum; to the Committee on Finance.

By Mr. LANGER:

S. 878. A bill to amend the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942, and for other purposes; to the Committee on Civil Service.

By Mr. WALSH:

S. 879. A bill to amend the act entitled "An act authorizing a reduction in the course of instruction at the Naval Academy," approved

June 3, 1941 (55 Stat. 238); to the Committee on Naval Affairs.

(Mr. TYDINGS introduced Senate bill 880, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. McCARRAN:

S. 881. A bill to amend an act entitled "An act relating to the levying and collecting of taxes and assessments, and for other purposes," approved June 25, 1938; and

S. 882. A bill to amend an act entitled "An act to prescribe the method of capital punishment in the District of Columbia," approved January 30, 1925 (43 Stat. 798, ch. 115, Public Law 348, 68th Cong., 2d sess.); to the Committee on the District of Columbia.

(Mr. WILEY introduced Senate bill 883, which was read twice by its title and referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. McFARLAND:

S. 884. A bill to authorize the Secretary of the Interior to exchange certain lands within the Navajo Indian Reservation, Ariz.; to the Committee on Indian Affairs.

(Mr. MALONEY (on behalf of the Special Committee to Study and Survey Problems of American Small Business Enterprises) introduced Senate bill 885, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

(Mr. LODGE (for himself and Mr. MAYBANK) introduced Senate bill 886, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. McCARRAN:

S. J. Res. 42 Joint resolution to extend for 1 year the provisions of an act providing for the suspension of annual assessment work on mining claims held by location in the United States, including the Territory of Alaska, approved May 7, 1942; to the Committee on Mines and Mining.

By Mr. DAVIS:

S. J. Res. 43. Joint resolution establishing a Division for the Physically Handicapped in the United States Employment Service; to the Committee on Education and Labor.

By Mr. RADCLIFFE:

S. J. Res. 44. Joint resolution to authorize the return to private ownership of certain vessels formerly used or suitable for use in the fishing or related industries and now owned by the United States, and for other purposes; to the Committee on Commerce.

JUNIOR VOLUNTEER ARMY OF AMERICAN YOUTH

Mr. TYDINGS. Mr. President, I ask consent to introduce for appropriate reference a bill entitled "An act to establish a junior army of the United States for the purpose of organizing the youth of the Nation on a volunteer basis, in order that they may contribute more effectively to the war effort, and for other purposes." The main object of the bill is to provide 3,100,000 seasonal farm workers at harvest time. I request that a statement which I have prepared in connection with the bill be printed in the *RECORD* and also that the bill may be printed in the *RECORD*.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 880) to establish a junior army of the United States for the purpose of organizing the youth of the Nation on a voluntary basis in order that they may contribute more effectively to the war effort, and for other purposes, was read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the *RECORD*, as follows:

Be it enacted, etc., That the Secretary of Agriculture (herein referred to as the "Secretary") is authorized and directed to establish, under the supervision of the Department of Agriculture, an organization to be known as the Junior Army of the United States and to consist of boys and girls between the ages of 14 and 18 years who volunteer for service in the junior army. The purpose of the junior army shall be to provide an effective method through which the services of such boys and girls may be made available and utilized, on a purely voluntary basis, for aid in the production, harvesting, and distribution of agricultural commodities and in the performance of other useful work or activities in which they are qualified to render services which will contribute to the effective prosecution of the war.

SEC. 2. (a) Boys and girls between the ages of 14 and 18 years who meet such requirements of eligibility as may be established by the Secretary may, with the written consent of their parents or guardians, be enlisted in the junior army. Enlistments shall be for a period of 3 months and may be renewed. Members of the junior army shall be known as junior soldiers, and shall be divided into grades corresponding to grades in the Army of the United States from colonel to private. Assignment to such grades shall be in accordance with, and the qualifications for and duties of the several grades shall be determined under, regulations prescribed by the Secretary.

(b) The Secretary shall provide suitable caps or hats and buttons or pins or other insignia of appropriate design for junior soldiers, for the purpose of indicating their membership and their rank or grade in the junior army.

(c) Upon the completion of any period of satisfactory service of 3 months or more in the junior army, any junior soldier shall be entitled to a certificate of honorable discharge and shall be entitled to retain the cap or hat and insignia issued to him. Any junior soldier may withdraw from the junior army at any time, but no certificate of honorable discharge shall be issued upon withdrawal prior to the completion of 3 months of service unless such withdrawal is determined to be for good cause.

SEC. 3. (a) The activities of the junior army shall, so far as practicable, be conducted in a manner which will not interfere with the education or attendance at school or normal home life of junior soldiers; and no junior soldier shall be assigned to any service which necessitates his absence from school or from his place of residence, unless he volunteers for such service with the consent of his parent or guardian.

(b) Junior soldiers shall not be paid compensation by the United States. In cases where they perform services for other persons, organizations, or agencies, the terms and conditions upon which such services are performed, and the compensation to be paid therefor, shall be determined and fixed in accordance with regulations of the Secretary.

SEC. 4. For the purposes of this act, the Secretary—

(a) May enter into agreements with public and private agencies and, pursuant to such agreements, may utilize the facilities and services of such agencies, may reimburse them on a cost basis for the use of such facilities and services, and may delegate to them the performance of functions under this act.

(b) May accept and utilize voluntary and uncompensated services.

(c) May utilize such personnel and facilities of the Department of Agriculture, employ such additional personnel, and make such expenditures as may be necessary.

(d) Shall make such rules and regulations as are necessary for the establishment and operation of the Junior Army in order to

accomplish the purposes of this act, including rules and regulations relating to the establishment, composition, organization, and operation of units thereof.

SEC. 5. The heads of the several departments and agencies of the Government are authorized, upon request of the Secretary, to detail civilian or military personnel of their respective departments or agencies to assist the Secretary in the administration of this act and in the establishment and supervision of the Junior Army, and such detail shall be considered part of the official duties of such personnel.

SEC. 6. The Junior Army shall not be considered, for the purposes of any other law, to be a part of the military or naval forces of the United States.

SEC. 7. Such sums as may be necessary to carry out the purposes of this act are hereby authorized to be appropriated.

SEC. 8. The provisions of this act shall cease to be in effect at the end of 6 months after the termination of the present war, as proclaimed by the President, or at such earlier time as the President by proclamation or the Congress by concurrent resolution may designate.

SEC. 9. This act may be cited as the "Junior Army Act."

The statement presented by Mr. TYDINGS in connection with the bill was ordered to be printed in the RECORD, as follows:

We are told by the Secretary of Agriculture that 3,100,000 extra farm workers will be needed to harvest the crops at harvesttime. It is plain to everybody that these 3,100,000 persons needed to save the food supply which the farmers are now planting cannot be found in the accustomed channels and places. I have, therefore, introduced a bill to meet this great need at harvesttime by authorizing the Secretary of Agriculture to form a junior army of persons between 14 and 18 years of age on a purely voluntary basis.

If such a force is now organized, when the harvesttime comes there will be no need for the crops to be lost in the field. Available extra labor through this medium can be ready in each community. We will not have crops rotting in the field for lack of harvesting personnel as we have had heretofore. It is important that this movement get under way at once. I shall ask the committee considering the bill to report it to the Senate so that it may become law at the earliest opportunity.

ASSISTANT SECRETARY OF COMMERCE FOR SMALL BUSINESS

Mr. WILEY. I ask consent to introduce a bill providing for an Assistant Secretary of Commerce for Small Business, and I ask that the bill be printed in the RECORD, and that in connection therewith there may be printed a statement I had expected to deliver on the floor of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 883) providing for an Assistant Secretary of Commerce for Small Business, was read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,

CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY

SECTION 1. (a) The Congress hereby finds that (1) the existence of American small business as an integral part of the American economic system is essential for the preservation of the system of free competitive enterprise in the Nation, (2) that the contin-

ued existence of American small business as a potent factor in the American economy is now challenged and threatened with extinction, and (3) that destruction of American small business burdens and obstructs the free flow of goods in commerce and interferes with the orderly and fair marketing of goods in commerce.

(b) It is hereby declared to be the policy of this act, through the exercise by Congress of its power to regulate commerce between the several States and to create executive offices, to preserve American small business as an integral and essential part of the American economic system, and to preserve the system of free private competitive enterprise in the Nation.

ASSISTANT SECRETARY OF COMMERCE FOR SMALL BUSINESS

SEC. 2. There shall be in the Department of Commerce an Assistant Secretary of Commerce for Small Business. It shall be the province and duty of said Assistant Secretary of Commerce for Small Business to foster, promote, and develop the conduct of commerce, manufacturing, transportation, distribution, and other business facilities and activities in the United States by small business with the end in view of the preservation of small business as an integral component part of the American system of free private competitive enterprise of the Nation. He shall be appointed by the President, with the advice and consent of the Senate. He shall be charged with the supervision and coordination of governmental activities dealing with the small business and small-business problems, and such other duties as shall be assigned to him by the Secretary of Commerce and as may be required by law. There shall be detailed to his office such number of employees of the Department of Commerce as may be authorized by the Secretary of Commerce. The Secretary of Commerce shall make a report to the President, the President of the Senate, and the Speaker of the House of Representatives, each 6 months of the operation of the office of the Assistant Secretary of Commerce for Small Business including such other information and such comments and recommendations with respect to American small business and small-business problems as he may deem appropriate.

The statement presented by Mr. WILEY in connection with the bill is as follows:

The last census taken of business concerns indicates there were over 3,100,000 in this country. Of course, since that time, because of the impact of the war, large numbers have fallen by the wayside. In 1939 small business produced 70 percent of all manufactured goods and employed about 60 percent of the wage earners in this country. These small business concerns were owned by about 6,500,000 men and women.

Approximately only 40 percent of the small business manufacturers can possibly be harnessed into war production. The remaining 60 percent must be kept alive by civilian production. It is plain that if the manufacturer cannot produce, then the wholesaler, the jobber, and finally the retailer will go out of business for lack of merchandise to sell, and that is what is happening throughout the country. It has been said that last year there were fatalities of about 25 percent.

This resolution I have introduced has something more in mind than simply protecting a group. Small business in this war has been the neglected and the forgotten man—the farmer, the misunderstood and maligned man. If we include many farmers who should be classified as small businessmen, with this group of 3,100,000, then we will probably have a group of 4,500,000. These two segments of our society, small business and the farmers, constitute the backbone of America. We

must maintain their economic health. Why? Because if we permit a great percentage of this segment to become paralyzed—remember it affects probably 10,000,000 adults—we will seriously damage the morale of this country.

The war has brought out this fact, that small business must have a voice in the councils of the Nation. Therefore we are suggesting by this resolution that an Assistant Secretary of Commerce for Small Business be constituted.

This Assistant Secretary of Commerce for Small Business could take hold of this problem right now and do a great job now and in the post-war period in rehabilitating and integrating small business with the life of the Nation. He should have been appointed years ago, but this is like many other things that should have been attended to but haven't.

But let us delay no longer. Small business, with its millions of the finest Americans, must have a pilot in Washington, one who knows the channels and who will look after its interests.

The Assistant Secretary of Commerce in the post-war period can see to it that there is the right kind of cooperation between small business, big business, the farmer, and labor. Without this cooperation among these four segments of our society, the post-war period will bring only tragedy in the national and international economic field.

We must demonstrate the "four freedoms" at home before we can effectively become a "world preacher" of the "four freedoms." I refer especially to "freedom from want" and "freedom from fear." The small businessmen by the tens of thousands have become acquainted with these two "wants."

DEFERMENT ON OCCUPATIONAL GROUNDS OF GOVERNMENT EMPLOYEES

Mr. LODGE. Mr. President, I ask consent to introduce a bill which I desire to describe briefly. I am introducing the bill on behalf of the Senator from South Carolina [Mr. MAYBANK] and myself.

The bill relates to selective-service deferment on occupational grounds of persons employed by the Federal Government. It reaffirms the provisions of the Executive order issued by the President with regard to employees of executive departments. It extends a similar policy to employees of the legislative and judicial departments, and provides that the names of all persons deferred because they work for the Federal Government shall be sent to Congress.

In connection with my statement I ask that section 5 (c) (2) and section 5 (e) of the Selective Service Act be printed in the RECORD as a part of my remarks, because a section of the bill I introduce relates to them.

There being no objection, the sections of the law were ordered to be printed in the RECORD, as follows:

Section 5 (c) (2):

The President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this act in the land and naval forces of the United States of any person holding an office (other than an office described in paragraph (1) of this subsection) under the United States or any State, Territory, or the District of Columbia, whose continued service in such office is found in accordance with section 10 (a) (2) to be necessary to the maintenance of the public health, safety, or interest.

Section 5 (e):

The President is authorized, under such rules and regulations as he may prescribe, to

provide for the deferment from training and service under this act in the land and naval forces of the United States of those men whose employment in industry, agriculture, or other occupations or employment, or whose activity in other endeavors is found in accordance with section 10 (a) (2) to be necessary to the maintenance of the national health, safety, or interest. The President is also authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this act in the land and naval forces of the United States (1) of those men in a status with respect to persons dependent upon them for support which renders their deferment advisable, and (2) of those men found to be physically, mentally, or morally deficient or defective. No deferment from such training and service shall be made in the case of any individual except upon the basis of the status of such individual, and no such deferment shall be made of individuals by occupational groups or of groups of individuals in any plant or institution.

Mr. MAYBANK. Mr. President, let me say that I am very much pleased to join with the Senator from Massachusetts in endorsing the bill, and I hope that the committee will be able to act on it quickly.

The VICE PRESIDENT. Without objection, the bill will be received and referred to the Committee on Military Affairs.

The bill (S. 886) relating to the selective-service deferment on occupational grounds of persons employed by the Federal Government, introduced by Mr. LODGE (for himself and Mr. MAYBANK), was read twice by its title and referred to the Committee on Military Affairs.

ESTABLISHMENT OF A CIVILIAN SUPPLY ADMINISTRATION

Mr. MALONEY. Mr. President, not intimately related to war production but closely related to the war effort is the situation concerning civilian supply. The greatest number of American small business concerns operates mainly in the field of civilian supply rather than in the direct production of goods for the armed forces.

Here we find hundreds of thousands of smaller wholesalers and retailers who provide our citizens with food, clothing, fuel, drugs, and other necessities. Here we find thousands of service establishments, hotels, places of amusement, and other types of nonwar establishments. Here also are the majority of small manufacturers. In all, about 95 percent of American small business concerns are engaged in civilian supply.

Although much has been said about the necessity of bringing small business more fully into war production—and the committee has taken the lead in this respect—the wartime problem facing most small businessmen is the imminent crisis in civilian supply.

Since the beginning of the war, civilian supply enterprises have been orphans of the storm. These enterprises have been repeatedly treated as though completely nonessential. Materials, manpower, and other resources are being haphazardly drained away from them by an ill-planned and chaotically administered war production program. They have operated under price regulations that have been promulgated and admin-

istered entirely apart from any program of civilian supply. Under such circumstances the smaller firms in the civilian field have been unable to stand up against the competition of big business firms which, because of their greater financial resources, have been able to build up large supplies of waning stocks, outbid them on the labor market, and continue to operate under rigid price ceilings.

In the earlier days of the war, while war production was still at modest levels, the neglect of civilian supply presented no immediate danger. But today, now it has been decided to build up a huge army and now that war production has reached tremendous proportions, we have just begun to feel the results of the insufficient attention given to civilian supply. Entire sections of the country have suffered from acute and unpredicted shortages of meat, fuel, and other necessities.

By the end of 1943, unless drastic measures are promptly taken, we face a break-down on the home front. Although the dollar volume of goods and services available for the civilian population may look reassuring on the statistical charts of Washington economists, over-all figures are misleading. While our factories will produce more than enough of some goods, they will turn out far less than enough of others. Goods produced in sufficient quantity will be distributed unevenly. Small stores and stores in farming and rural areas, remote regions and certain new communities will lose out in the struggle for a share of available supplies. Because of an overloaded transportation system, there may be hours, days, weeks, or months when civilian goods cannot be moved in adequate quantities to or from certain areas. This is a particular danger in crowded industrial communities where too complete a diversion of facilities and manpower to war production may destroy local sources of civilian supply and create an overdependence on goods transported from other areas.

By the end of 1943, moreover, small business in the civilian field will find its stocks depleted. The profit reserves that may have been built up during the earlier days of the defense boom will have melted away. The specter of the black market operator may again arise to threaten the legitimate distributor. Thousands upon thousands of small manufacturers, retailers and wholesalers, including the essential as well as the nonessential, the established operator as well as the fly-by-night, may be wiped out of existence.

Accordingly the subcommittee of the Committee on Small Business of the Senate has come to the conclusion that the first step to be taken in approaching the problems of small business in the field of civilian supply is the establishing of a clear-cut national policy and program on civilian supply. We must once and for all do away with the theory that after military needs are met, the civilian population should scramble for the crumbs that are left over. We must do away with the theory that a total war can be waged by planning the production of airplanes and ships

and neglecting the production and distribution of the food, clothing, fuel, medical supplies, repair parts, and other necessities used by those who make the airplanes and ships. To paraphrase Abraham Lincoln's statement that we cannot survive half slave and half free, we cannot fight a total war half planned and half hit-or-miss. It may seem a far cry from the fighting privates in the jungles of Guadalcanal to the grocer in Middletown, but they are both essential parts of our total war effort for the safety of our country.

The heart of our military strategy lies in having the right amount of the necessary equipment and manpower available at the right moment at the right place. The heart of our wartime strategy on the home front lies in having the right amount of the necessary goods, services, and manpower at the right moment at the right place. All Federal regulations and control programs affecting the civilian economy—whether they be price ceilings, rationing programs, inventory controls, wage controls, manpower allocations or any other—must be subordinated to, and integrated with, this basic strategy.

The committee has heard extensive testimony from businessmen on this very question. On January 19, 20, and 21, especially, representatives of many retailing and wholesaling trade associations presented their views in considerable detail. The National Retail Dry Goods Association pointed out that no one now knows where the balance is between the materials needed by the armed forces and civilian requirements. The Voluntary Chain Institute pointed out the need for carefully weighing the respective requirements of the armed forces and specifically called for greater production of foods. The National Retail Furniture Association suggested the need for greater production of bedsprings and baby carriages. The National Electronics Distribution Association presented figures to indicate the importance of relatively small amounts of material for the maintenance of electrical equipment. The National Leather and Shoe Finders' Association pointed out the necessity of allocating steel and leather for shoe repairing. The National Automobile Dealers' Association, the National Restaurant Association, and the Associated Retail Bakers of America stressed the necessity of maintaining adequate manpower for civilian activities. The Wholesale Dry Goods Institute and the National Association of Retail Druggists pointed out the importance of having the limited supply of goods equitably distributed. The National Association of Retail Meat Dealers called attention to the inequitable distribution of existing meat supplies. At least three associations, the National Retail Dry Goods Association, the National Leather and Shoe Finders' Association, and the National Association of Retail Grocers, suggested the appointment of a civilian supply administrator. The National Association of Retail Grocers laid special emphasis upon the need for statutory action as follows:

IN THE SENATE OF THE UNITED STATES

MARCH 16 (legislative day, MARCH 9), 1943

Mr. LODGE (for himself and Mr. MAYBANK) introduced the following bill;
which was read twice and referred to the Committee on Military Affairs

A BILL

Relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) in the classification, reclassification, or deferment,
4 under section 5 (c) (2) or section 5 (c) of the Selective
5 Training and Service Act of 1940, as amended, of persons
6 employed in or under the Federal Government, no considera-
7 tion shall be given to the fact that any such person is so
8 employed, unless a request for the deferment of such person
9 shall have been made (1) in accordance with the provisions
10 of Executive Order Numbered 9309, dated March 6, 1943,
11 in the case of persons employed in the executive branch of

1 the Government, or (2) in accordance with the provisions
2 of subsection (b) of this section in the case of persons em-
3 ployed in the judicial or legislative branches of the Govern-
4 ment.

5 (b) There is hereby established (1) a committee in
6 the judicial branch of the Government to consist of such
7 persons in the judicial branch of the Government as may be
8 appointed to such committee by the Chief Justice of the
9 United States, and (2) a committee in the legislative branch
10 of the Government to consist of three Members of the Senate,
11 to be appointed by the President of the Senate, and three
12 Members of the House of Representatives to be appointed
13 by the Speaker of the House. The committees established
14 under this subsection shall have powers and duties with re-
15 spect to officers and employees in their respective branches
16 of the Government corresponding to the powers and duties
17 of the committees established pursuant to Executive Order
18 Numbered 9309, and shall make all requests for selective-
19 service occupational deferment of officers or employees in
20 their respective branches of the Government; and no request
21 for the occupational deferment of any such officer or em-
22 ployee shall be considered by any local board unless it has
23 been made by one of such committees. In exercising their
24 functions under this section such committees shall, as far as
25 practicable, follow the procedures and standards set forth in

1 such Executive Order Numbered 9309; and the provisions
2 of such Executive order, insofar as they are not inconsistent
3 with this subsection, shall be deemed to apply with respect
4 to persons employed in the judicial and legislative branches
5 of the Government, except that this section shall not be
6 deemed to confer upon the Chairman of the War Manpower
7 Commission or the Review Committee on Deferment of
8 Government Employees any jurisdiction with respect to such
9 persons.

10 (c) Beginning sixty days after the date of enactment
11 of this Act, the Director of Selective Service shall make
12 monthly reports to the Congress showing, as nearly cur-
13 rently as is practicable, the names and positions of the
14 persons who have been deferred or placed in any class or
15 subdivision of a class under such sections 5 (c) (2) or 5
16 (e) because of their employment in or under the Federal
17 Government, and showing whether or not requests for the
18 deferment of such persons have been made in accordance
19 with such Executive order or subsection (b) of this section;
20 and such Director shall obtain from the selective-service
21 local boards, and from the several departments and agencies
22 of the Federal Government, such information as may be
23 necessary for this purpose.

24 (d) For the purposes of this section and Executive Order

1 Numbered 9309, the Government Printing Office shall be
2 deemed to be an agency in the executive branch of the
3 Government.

78TH CONGRESS
1ST SESSION

S. 886

A BILL

Relating to the selective-service deferment, on
occupational grounds, of persons employed
by the Federal Government.

By Mr. LODGE and Mr. MAYBANK

MARCH 16 (Legislative day, MARCH 9), 1943

Read twice and referred to the Committee on Military
Affairs

be printed in the RECORD, under the rule, as follows:

Whereas the cooperation of all agencies, Federal and State, and individuals in the several States has been, and is being, urged for the most efficient prosecution of the war; and

Whereas one of the factors most essential to the successful prosecution of the war is the maximum production possible of dairy products for our armed forces and allies and for the citizenry of the Allied Nations; and

Whereas the desired result can be achieved only by the cooperation of the boards of health of the several States, particularly those to which the greater portion of the dairy products of this State are shipped; and

Whereas the strict enforcement of the present requirements and restrictions of the boards of health will in many cases cause producing dairymen to reduce or sell their herds, and the proposed discontinuance of numerous creameries for the purported purpose of conserving manpower and supplies will tend, especially in what is known in the industry as a flush season, still more to handicap dairymen, because thereby the number of dairies per transporting truck, the number of stops and the time of loading and unloading, will be greatly increased, thus necessitating the still greater increase in the length of the day of the producer, and for that reason a still greater reduction in available farm labor; and

Whereas the average dairy farmer is now forced to work a week of 75 or 80 hours and is unable to convert returned milk into butter, because of lack of time, labor, and equipment, necessitating the dumping of such returned milk: Therefore be it

Resolved by the senate and house of representatives, That the Secretary of Agriculture of the United States be, and he hereby is, respectfully urged to consider the following:

1. That the importance is the quality of milk and not the place of production;

2. That country dairy plants be allowed to extend the time for the reception of milk;

3. That no milk be rejected and returned to the producer unless it has been ascertained to be unsafe for human consumption;

4. That in cases where dairies are excluded for high bacteria count or other reasons inspectors of the board of health and other officials cooperate as far as possible and expedient with dairymen to ascertain and remedy the cause;

5. That owing to the extreme difficulty in obtaining farm labor, equipment, and materials, no new drastic regulations be imposed on dairymen during the present emergency;

6. That boards of health in jurisdictions where the dairy products of this State are used or consumed cooperate with producers of dairy products to the end that the supply of milk be maintained and so far as possible increased as required for the successful prosecution of the war; and be it further

Resolved, That the Honorable Secretary issue such orders and regulations as will insure the cooperation of all Federal agencies having jurisdiction as to dairy products and their production with boards of health and producers to the end that production be maintained and the needs of our armed forces and our population and those of our Allies be met; and be it further

Resolved, That copies of this resolution be sent to the Honorable Claude R. Wickard, Secretary of Agriculture, to all Members of the Vermont congressional delegation, the Boston City Board of Health and the New York City Board of Health.

Whereas one of Vermont's greatest contributions to winning the war is the willingness, ability, and natural instinct of her farmers to produce more food, the present real essential which would hasten the end of the war; and

Whereas food has virtually been the decisive factor in the successful prosecution of previous wars; and

Whereas the definite shortage of farm labor makes our farmer's need for farm machinery more essential than ever before in order to "raise more food and cattle"—the war cry from the Secretary of Agriculture and other Government officials responsible for the prosecution of the war; and

Whereas the allotted quota of farm machinery to each county is far below the actual need and should be at least doubled in amount: Therefore be it

Resolved by the senate and house of representatives, That the people of Vermont represented in this general assembly cannot too strongly impress upon the authorities in Washington who are responsible in setting the allotted quota of farm machinery of how inadequate the allotment to Vermont is in comparison to its actual needs; and be it further

Resolved, That Vermont's Representatives in Congress exert every effort to bring about an increase in the present allotment quota of at least double the quota already set; and be it further

Resolved, That a copy of this resolution be sent forthwith by the secretary of state to Vermont's Representatives in the Congress of the United States.

RESOLUTION OF BELLVIEW GRANGE NO. 1655, FREDONIA, KANS.—FAIR PRICES FOR AGRICULTURAL PRODUCTS

Mr. CAPPER. Mr. President, I ask unanimous consent to present and to have printed in the RECORD and appropriately referred a resolution recently adopted by the Bellview Grange No. 1655, Fredonia, Kans., in which they take a stand for fair prices which will guarantee cost of production as being an advantage over subsidies and parity payments.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

BELLVIEW GRANGE, No. 1655,
PATRONS OF HUSBANDRY,
Fredonia, Kans., March 21, 1943.

Senator ARTHUR CAPPER,
Washington, D. C.:

The following resolution was passed by the Bellview Grange, No. 1655 on March 10, 1943, and ordered sent to our Members in Congress and the Secretary of Agriculture. We would like for you to give this favorable attention:

"*Resolved,* That the Bellview Grange is on record as being opposed to subsidies and special crop parity payments for agriculture but rather is in favor of fair prices which will guarantee cost of production and a fair profit for all farm commodities."

Fraternally,

Mrs. MARIE MYERS,
Secretary.

LETTER FROM WILLIAM W. DUNCAN—TAXES ON SMALL INCOMES

Mr. WALSH. Mr. President, I present a letter which I ask may be treated in the nature of a petition and referred to the Committee on Finance. I ask that it be read.

The ACTING PRESIDENT pro tempore. Without objection, the letter presented by the Senator from Massachusetts will be referred to the Committee on Finance, and the clerk will read for the information of the Senate.

The legislative clerk read the letter, as follows:

THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES,
Boston, Mass., March 5, 1943.

Senator DAVID I. WALSH,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WALSH: I wrote you a letter last fall regarding the effect of the tax bill upon widows and retired people with small incomes.

I have just finished making quite a few income tax reports on this type of person, particularly those having incomes between \$800 and \$1,000 a year. If you will look at 1040A report, I believe you will find that such a widow with a \$950 income or \$81 a month has to pay a tax of \$71, and believe me, in every case that I have seen these people are struggling to maintain one room and some of the comforts of life to which they have been accustomed.

Will it not be possible for such person or persons to file a report and upon affidavit that their income is not earned and does not exceed, say \$1,000 single and \$1,500 married, to have the tax waived, as is done in Massachusetts?

Yours very truly,
WM. W. DUNCAN,
Supervisor.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LODGE, from the Committee on Military Affairs:

S. 886. A bill relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government; without amendment (Rept. No. 120).

By Mr. CAPPER, from the Committee on Claims:

S. 241. A bill for the relief of Rachel Acerra; with an amendment (Rept. No. 121); and

H. R. 1279. A bill for the relief of Lee Watts; without amendment (Rept. No. 122).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRD:

S. 887. A bill conferring jurisdiction upon the United States District Court for the Western District of Virginia to hear, determine, and render judgment upon the claims of John Weakley and Rella Moyer; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

S. 888 (by request). A bill to establish a domestic allotment plan for basic agricultural commodities, to regulate commerce in such commodities, and to provide for the orderly marketing of such commodities at fair prices in interstate and foreign commerce; to the Committee on Agriculture and Forestry.

By Mr. NYE:

S. J. Res. 45. Joint resolution relating to emergency crop, seed, and feed loans and to regional agricultural credit corporation loans; to the Committee on Agriculture and Forestry.

ORGANIZATION OF UNITED NATIONS—AMENDMENT TO SENATE RESOLUTION 114

Mr. WILLIS. Mr. President, yesterday the junior Senator from Minnesota [Mr. BALL], for himself and on behalf of three other Senators, submitted Senate Resolution 114 providing as follows:

That the Senate advises that the United States take the initiative in calling meetings of representatives of the United Nations for the purpose of forming an organization

of the United Nations with specific and limited authority—

as further set out in the resolution.

The inspiration of this resolution is without doubt the age-old longing for a wise and certain solution of mankind's desire for lasting peace. Surely it will be a sad commentary on the present generation which experienced a disastrous war a quarter of a century ago, a devastating depression growing out of that war, and which is again involved in a war of catastrophic proportions, if we cannot take some steps toward the goal of permanent peace. I have no intention at this time to comment further on the broad objectives of the resolution.

Mr. President, in our form of government there are certain limitations of the powers which were granted by the people to their Congress and to their Executive. Among these is the limitation that all treaties made with other nations must be with the advice and consent of the Senate. The Senator from Minnesota recognized that fact in the able address he made when he submitted the resolution. These limitations on the several branches of our Government must be recognized at every step of the way we take in our effort to reach the very laudable goal set forth.

Mr. President, the line of demarkation between what constitutes a treaty with other nations, which must have the approval of a two-thirds vote of the Senate, and agreements made by the Executive which have had only a majority vote of both Houses of Congress has, in late years, become a twilight zone of considerable area within which our efforts may be attended with confusion.

In entering upon a problem of such magnitude as that involved in the resolution submitted by the Senator from Minnesota, it is only the part of wisdom and practical expediency that the limitations upon those who conduct the negotiations on behalf of the United States shall be clearly defined. The people of the United States need the reassurance that their sacred rights will not be violated. Those who outline specifically the aspirations of the United States in this matter must bear in mind continually the limitations of their authority, and in that spirit of frankness only under which a sound and lasting understanding can be developed, the peoples of other nations should have plainly in their minds the same limitations.

Mr. President, I ask consent to present an amendment intended to be proposed by me to the resolution submitted by the Senator from Minnesota [Mr. BALL] and other Senators, being the resolution (S. Res. 114) favoring the organization of the United Nations to maintain peace, and ask that it be read.

The ACTING PRESIDENT pro tempore. The amendment of the Senator from Indiana will be read for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the resolution it is proposed to insert the following new paragraph, as follows:

Any agreement concluded in accordance with the provisions of this resolution, on behalf of the Government of the United States with any other nation or any association of

nations, shall not be binding upon the Government of the United States until a proposal of such agreement shall have been submitted to the United States Senate and concurred in by two-thirds of the Senators present.

Mr. WILLIS. Mr. President, I ask that the amendment be printed and referred to the Committee on Foreign Relations.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be received, printed, and referred to the Committee on Foreign Relations as requested by the Senator from Indiana.

SELECTION AND ESTABLISHMENT OF FEDERAL FIELD OFFICES (S. DOC. NO. 22)

Mr. HAYDEN presented a manuscript prepared by the Legislative Service of the Library of Congress relating to the selection and establishment of Federal field offices, which, on request of Mr. HAYDEN, was ordered to be printed.

TRAINING OF ENLISTED RESERVISTS UNDER CIVIL AERONAUTICS AUTHORITY

Mr. BAILEY. Mr. President, a number of Senators have made inquiry of me as to the status of certain enlisted reservists who are undergoing training under the supervision of the C. A. A. War Training Service. In response to their letters I asked for the information from the Civil Aeronautics Division of the Department of Commerce. I have a letter stating the facts, and I think the contents of the letter are sufficiently interesting to justify printing the letter in the RECORD. I believe that Members of Congress would be glad to have the information. Therefore I ask leave to have the letter printed in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF COMMERCE,
CIVIL AERONAUTICS ADMINISTRATION,
Washington, March 12, 1943.
HON. JOSIAH W. BAILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR BAILEY: Owing to the absence from Washington of Mr. William A. M. Burden, I am writing to give you the information requested in your letter of March 9, concerning the status of certain enlisted reservists who are being trained under the supervision of the Civil Aeronautics Administration War Training Service.

The accompanying memorandum outlines the arrangements under which these men are receiving training. As stated therein, they do not receive any pay, allowances, or other compensation. They must make their own arrangements to provide the funds needed to supply pocket money and to pay for personal necessities other than those which are provided in the way of board, lodging, nonmilitary uniforms, and equipment, by the Civil Aeronautics Administration War Training Service. In this connection, however, it should be mentioned that men who are carried through to graduation from the pilot instructor course will have received approximately \$5,000 worth of free tuition from the Government and will have acquired skills which should enable them to earn satisfactory incomes. This is important when it is remembered that the men are being trained as noncombat service pilots with a view to employment by the Army in

a civilian capacity as instructors in the Army's civil contract schools or as transport copilots.

As you know, the training program conducted by the Civil Aeronautics Administration War Training Service (formerly known as Civilian Pilot Training) has gone through two major phases. The third phase has commenced and will soon be fully in operation.

The first phase covered the period from the enactment of the Civilian Pilot Training Act in 1939 until June 30, 1942. In that phase, the program was essentially a program for the training of civilians. It was largely an extracurricular activity carried on in conjunction with the regular education of young men in the colleges or in other institutions of higher learning. It could be and was a decentralized program. The persons who received training as pilots were civilians in every sense of the word and were wholly free to employ the techniques and skills which they had acquired in whatever way best suited their individual inclinations and opportunities.

The program which was conducted during the first phase equipped many thousands of men to take their places promptly and effectively in war aviation. The rapid expansion of our Navy and Army Air Forces was aided materially by the existence of this trained group.

Following our entry into the war, it became apparent that it would be necessary greatly to accelerate the training program and to place it on a more definitely controlled and centralized basis. Planning to this end went on in the early months of 1942. Effective July 1, 1942, the training program was launched on its second phase.

During this second phase, after July 1, 1942, all of the training facilities available through the Civil Aeronautics Administration were employed exclusively for the training of men having Reserve status in the Army or Navy.

The field organization of the Civil Aeronautics Administration War Training Service undertook the responsibility of acting, in a sense, as a recruiting agency to provide noncombat service pilots for the Army. All of the men undergoing training by Civil Aeronautics Administration for the Army Air Forces were examined and selected by the Civil Aeronautics Administration organization or by contractors working under the supervision of the Civil Aeronautics Administration. Following selection, these men were presented to the Army recruiting centers for voluntary enlistment. While undergoing training, they were enlisted members of the Reserve on inactive status. But they were being trained as civilians, and, as I have said, it was intended that many of them, on completion of their training, should be employed in a civilian status, some as pilots with the air-transport service, others as instructors in the Army's civil contract primary schools or as instructors with the Civil Aeronautics Administration War Training Service. Their enlistment in the Reserve was intended to accomplish two purposes. It involved a definite commitment on the part of the trainee to devote himself to service in the war program, as a civilian or otherwise, on the completion of his training. At the same time, his Reserve status gave him assurance that he would not be called into service as a soldier through the operation of the National Selective Service Act until his training as a pilot had been completed or until he had been eliminated from further training because of failure to meet the required tests and examinations.

Many of the men who were enlisted in the Army Air Corps Enlisted Reserve during the second phase of the program are still in training, and we expect that their training will be completed in accordance with the arrangements which were contemplated at the

Calendar No. 117

78TH CONGRESS
1ST SESSION

S. 886

[Report No. 120]

IN THE SENATE OF THE UNITED STATES

MARCH 16 (legislative day, MARCH 9), 1943

Mr. LODGE (for himself and Mr. MAYBANK) introduced the following bill;
which was read twice and referred to the Committee on Military Affairs

MARCH 17 (legislative day, MARCH 9), 1943

Reported by Mr. LODGE, without amendment

A BILL

Relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) in the classification, reclassification, or deferment,
4 under section 5 (c) (2) or section 5 (e) of the Selective
5 Training and Service Act of 1940, as amended, of persons
6 employed in or under the Federal Government, no considera-
7 tion shall be given to the fact that any such person is so
8 employed, unless a request for the deferment of such person
9 shall have been made (1) in accordance with the provisions
10 of Executive Order Numbered 9309, dated March 6, 1943,
11 in the case of persons employed in the executive branch of

1 the Government, or (2) in accordance with the provisions
2 of subsection (b) of this section in the case of persons em-
3 ployed in the judicial or legislative branches of the Govern-
4 ment.

5 (b) There is hereby established (1) a committee in
6 the judicial branch of the Government to consist of such
7 persons in the judicial branch of the Government as may be
8 appointed to such committee by the Chief Justice of the
9 United States, and (2) a committee in the legislative branch
10 of the Government to consist of three Members of the Senate,
11 to be appointed by the President of the Senate, and three
12 Members of the House of Representatives to be appointed
13 by the Speaker of the House. The committees established
14 under this subsection shall have powers and duties with re-
15 spect to officers and employees in their respective branches
16 of the Government corresponding to the powers and duties
17 of the committees established pursuant to Executive Order
18 Numbered 9309, and shall make all requests for selective-
19 service occupational deferment of officers or employees in
20 their respective branches of the Government; and no request
21 for the occupational deferment of any such officer or em-
22 ployee shall be considered by any local board unless it has
23 been made by one of such committees. In exercising their
24 functions under this section such committees shall, as far as
25 practicable, follow the procedures and standards set forth in

1 such Executive Order Numbered 9309; and the provisions
2 of such Executive order, insofar as they are not inconsistent
3 with this subsection, shall be deemed to apply with respect
4 to persons employed in the judicial and legislative branches
5 of the Government, except that this section shall not be
6 deemed to confer upon the Chairman of the War Manpower
7 Commission or the Review Committee on Deferment of
8 Government Employees any jurisdiction with respect to such
9 persons.

10 (c) Beginning sixty days after the date of enactment
11 of this Act, the Director of Selective Service shall make
12 monthly reports to the Congress showing, as nearly cur-
13 rently as is practicable, the names and positions of the
14 persons who have been deferred or placed in any class or
15 subdivision of a class under such sections 5 (c) (2) or 5
16 (e) because of their employment in or under the Federal
17 Government, and showing whether or not requests for the
18 deferment of such persons have been made in accordance
19 with such Executive order or subsection (b) of this section;
20 and such Director shall obtain from the selective-service
21 local boards, and from the several departments and agencies
22 of the Federal Government, such information as may be
23 necessary for this purpose.

24 (d) For the purposes of this section and Executive Order

1 Numbered 9309, the Government Printing Office shall be
 2 deemed to be an agency in the executive branch of the
 3 Government.

Calendar No. 117

78TH CONGRESS
1ST SESSION

S. 886

[Report No. 120]

A BILL

Relating to the selective-service deferment, on
 occupational grounds, of persons employed
 by the Federal Government.

By Mr. LODGE and Mr. MAHBANK

MARCH 16 (legislative day, MARCH 9), 1943

Read twice and referred to the Committee on Military
 Affairs

MARCH 17 (legislative day, MARCH 9), 1943

Reported without amendment

SELECTIVE-SERVICE DEFERMENT, ON OCCUPATIONAL
GROUNDS, OF PERSONS EMPLOYED BY THE FEDERAL
GOVERNMENT

MARCH 17 (legislative day, MARCH 9), 1943.—Ordered to be printed

Mr. LODGE, from the Committee on Military Affairs, submitted the
following

REPORT

[To accompany S. 886]

The Committee on Military Affairs, to whom was referred the bill (S. 886) relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government, having considered the same, report favorably thereon with recommendation that it do pass.

This measure reaffirms the provisions of Executive Order No. 9309, issued by the President on March 6, 1943, with regard to employees of executive departments. It extends a similar policy also to employees of the legislative and judicial branches of the Government, and provides that the names of all persons deferred because they work for the Federal Government shall be sent to the Congress.

The parts of the Selective Training and Service Act of 1940 (Public Law 783 of the 76th Cong.) relating to this measure follow:

Section 5 (c) (2): The President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this act in the land and naval forces of the United States of any person holding an office (other than an office described in paragraph (1) of this subsection) under the United States or any State, Territory, or the District of Columbia, whose continued service in such office is found in accordance with section 10 (a) (2) to be necessary to the maintenance of the public health, safety, or interest.

Section 5 (e): The President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this act in the land and naval forces of the United States of those men whose employment in industry, agriculture, or other occupations or employment, or whose activity in other endeavors is found in accordance with section 10 (a) (2) to be necessary to the maintenance of the national health, safety, or interest. The President is also authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this act in the land and naval forces of the United States (1) of those men in a status with respect to persons dependent upon them for support which renders their deferment advisable, and (2) of those men found to be physically, mentally, or morally deficient or defective. No deferment from such training and service shall be made in the case of any individual except upon the basis of the status of such individual, and no such deferment shall be made of individuals by occupational groups or of groups of individuals in any plant or institution.

The Executive order referred to follows:

EXECUTIVE ORDER

CONTROLLING GOVERNMENT REQUESTS FOR THE SELECTIVE SERVICE DEFERMENT OF FEDERAL EMPLOYEES

By virtue of the authority vested in me by the Constitution and statutes (including the Selective Training and Service Act of 1940, as amended) as President of the United States, and in order to further the prosecution of the war by conserving and most effectively utilizing manpower and by systematizing the handling of necessary selective service occupational deferment of employees in the executive branch of the Federal Government, it is ordered as follows:

I. LIMITATIONS ON RIGHT TO REQUEST OCCUPATIONAL DEFERMENT

1. No agency shall request the selective service deferment of any employee on occupational grounds except in accordance with the provisions of this Order. No employee shall initiate a request for his own deferment on occupational grounds or advocate the making of such a request on his own behalf.

2. No such request shall be made unless it is determined, in the manner herein provided, that the employee's civilian services are essential in that the loss thereof would substantially impair activities essential to the war effort (including necessary supporting activities and the maintenance of the national health, safety, and interest). In determining whether such an employee's services are thus essential consideration shall be given to all relevant factors, including the actual effectiveness of the employee, the difficulty of replacing him, his age, his qualifications, his assignment to duties outside the continental United States, and the length of his service in the position he occupies or in positions with comparable duties.

3. No such request shall be made for a period longer than is deemed to be absolutely necessary nor for a period of more than six months.

II. ESTABLISHMENT OF COMMITTEES

1. The Chairman of the War Manpower Commission (hereinafter referred to as the Chairman) shall designate, with the approval of the President, a chairman and two members of a War Manpower Commission committee to be known as the Review Committee on Deferment of Government Employees (hereinafter referred to as the Review Committee). Such Committee shall be subject to the supervision and direction of the Chairman.

2. The head of each agency shall designate a Committee on Deferment of Government Employees (hereinafter referred to as an Agency Committee), of three to five members possessing a comprehensive view of the needs of the agency. For the purposes of this Order the Government of the District of Columbia shall be deemed to be an agency. Each Agency Committee shall be subject to the supervision and direction of the head of the agency.

3. When authorized by the Review Committee, the head of any agency may also designate regional committees whenever the number and geographical distribution of the personnel of the agency make such action desirable. Within their respective areas such regional committees shall have the authority and responsibility of an Agency Committee; and as used in this Order the term "Agency Committee" shall include a regional committee established under this section.

III. DESIGNATION OF KEY POSITIONS

1. Each Agency Committee, with the approval of the head of the agency, shall submit to the Review Committee for its approval a list of those positions in the agency deemed necessary to carry out activities essential to the war effort or to necessary supporting activities. All such positions approved by the Review Committee shall be known as key positions. The Review Committee, either on its own motion or upon recommendation made by the Agency Committee and approved by the head of the agency, may revise the list of key positions of that agency as conditions warrant.

2. Key positions shall be limited to positions involving serious difficulty of replacement because a scarcity of available qualified personnel exists and because any incumbent of the position must have had, in order to perform the duties

effectively, an extended period of training or specialized experience. The designation of key positions shall be further governed by the following criteria:

(a) The work is of a responsible administrative, executive, or supervisory character in activities directly related to the war effort, or to the essential maintenance of orderly government (including the maintenance of the health, morale, and security of the Nation); or

(b) The work is a part of the actual production, transportation, or handling of war materials, equipment, or commodities, or of the maintenance or operation of war equipment, or of the transportation of war personnel; or

(c) The work is of a professional, semiprofessional, or highly specialized character, requiring extended training, in an occupation where a known scarcity of manpower exists; or

(d) The work usually requires male employees because of peculiar circumstances or requisite physical abilities, including the occupations of seamen, investigatory agents, forest rangers, border patrolmen, prison guards, and other comparable occupations wherein replacement within necessary age limits is difficult.

IV. REQUESTS FOR DEFERMENT

1. In accordance with the provisions of this Order, and subject to the limitations set forth in Part I hereof, an Agency Committee may, in cases not covered by the Replacement Schedule procedure set forth in paragraph 5 of this Part, prepare and submit to the appropriate local selective service board a request for the occupational deferment of—

(a) Any employee of the agency who occupies a key position and whose civilian services are essential within the meaning of paragraph 2 of Part I hereof.

(b) Any employee of the agency not occupying a key position whose civilian services are essential within the meaning of paragraph 2 of Part I hereof, if unusual and special circumstances, such as the employee's unique fitness for the work or unique familiarity with a specific project in the course of completion make such deferment request necessary. No request for deferment shall be made under this subparagraph except with the prior specific approval of the Review Committee.

2. Subject to the conditions set forth in this Order, the Agency Committees shall make all requests for selective service occupational deferment of employees of their respective agencies, and shall prepare and submit such requests to local selective service boards in accordance with selective service regulations.

3. In preparing the prescribed selective service form for submitting a request for occupational deferment to the local selective service board, the Agency Committee shall enter on such form the words "Government Request," and shall also indicate thereon the name of the agency and the subordinate part thereof in which the registrant is employed.

4. In any case in which a Government request for deferment is denied by a local selective service board, the Agency Committee concerned shall at once file an appeal from such action. The appeal shall stay the induction of the employee affected until final decision in the case.

5. The Chairman, upon his own motion or upon recommendation made by an Agency Committee and approved by the head of the agency, shall determine, after consultation with the Review Committee, those manufacturing, servicing, operating, and transporting activities of an agency or part thereof with respect to which deferment problems can be best met through use of manning tables and replacement schedules. He shall thereupon direct the head of the agency concerned to prepare and use, with respect to those activities or organizations, manning tables and replacement schedules, in accordance with the regulations prescribed by the Chairman. Such agency or part thereof shall thereafter be exempt from the provisions of Part III of this Order (providing for the designation of key positions) and the provisions of this Order governing the making of requests for deferment of employees to the extent and in the respects provided in the regulations of the Chairman.

V. VOLUNTARY ENTRANCE INTO ARMED FORCES

1. Unless an Agency Committee has requested or would request deferment of an employee under this Order, the agency, upon his request, shall grant him a release to enter the armed forces voluntarily in a commissioned or enlisted status.

2. If an Agency Committee has requested or would request deferment of an employee under this Order, the agency shall deny him such a release unless it is determined that—

- (a) The employee is likely to be assigned to active combat service; or
- (b) The employee's skills and ability probably will be utilized equally or more effectively in the armed forces.

3. In the case of an employee who is in a deferred classification, or who is not subject to induction, for reasons unrelated to his occupation such a release shall be granted or denied without regard to such reasons, in accordance with the provisions of paragraphs 1 and 2 of this Part.

4. When an Agency Committee denies release of an employee, such action shall upon his request be reviewed by the Review Committee. The Agency Committee shall be notified of the final decision, and if the denial is affirmed, such committee shall immediately notify the employee's local selective service board.

VI. DEPENDENCY—OCCUPATIONAL RECLASSIFICATION

Agency Committees may make requests for the selective service reclassification from Class III—A to Class III—B of employees other than those engaged in occupations designated by the Chairman as nondeferable. Such requests shall be made in accordance with standards, to be prescribed by the Chairman, for determining the relationship of employees' activities to the war effort, which standards shall conform, as nearly as may be, to the standards applicable to such reclassification in the case of persons not in the Federal service.

VII. GENERAL PROVISIONS

1. Under regulations to be prescribed by the Chairman, the Agency Committee in each agency shall supervise the preparation and maintenance, on a current basis, of adequate statistics on the selective-service status of its male employees, and on related matters, which shall be summarized and reported to the Review Committee at periodic intervals.

2. Heads of agencies shall issue special instructions to insure that an employee will immediately report through proper channels any change in his selective-service status or the receipt of notice to report for induction.

3. Each agency shall plan and carry out an orderly program of replacement and training occasioned by the entry or prospective entry of employees into the armed forces, on the basis of the information provided for in paragraph 1 of this Part of this Order.

4. The Chairman shall from time to time make recommendations to the Director of the Bureau of the Budget, based on information and experience acquired in the administration of this Order, for the effective utilization of the services of Government employees with respect to the conservation of manpower.

5. Under regulations to be prescribed by the Chairman, the several agencies shall submit to the Review Committee periodic reports concerning all action taken under this Order. The Review Committee shall currently review such reports and shall consult with Agency Committees with respect to any departures from this Order. The Review Committee may also designate representatives to attend meetings of Agency Committees. Such representatives shall at all times have full access to all records of such Committees.

6. The Chairman shall report to the President, at intervals of not more than three months, with respect to the administration of this Order and shall make recommendations to the President with respect to such modifications of this Order as he may deem advisable.

7. The Chairman may suspend the authority of any Agency Committee to submit requests for deferment if the Agency Committee submits requests in violation of this Order.

8. A request for deferment of an employee may be cancelled by the Review Committee if it determines that the request was made in violation of this Order.

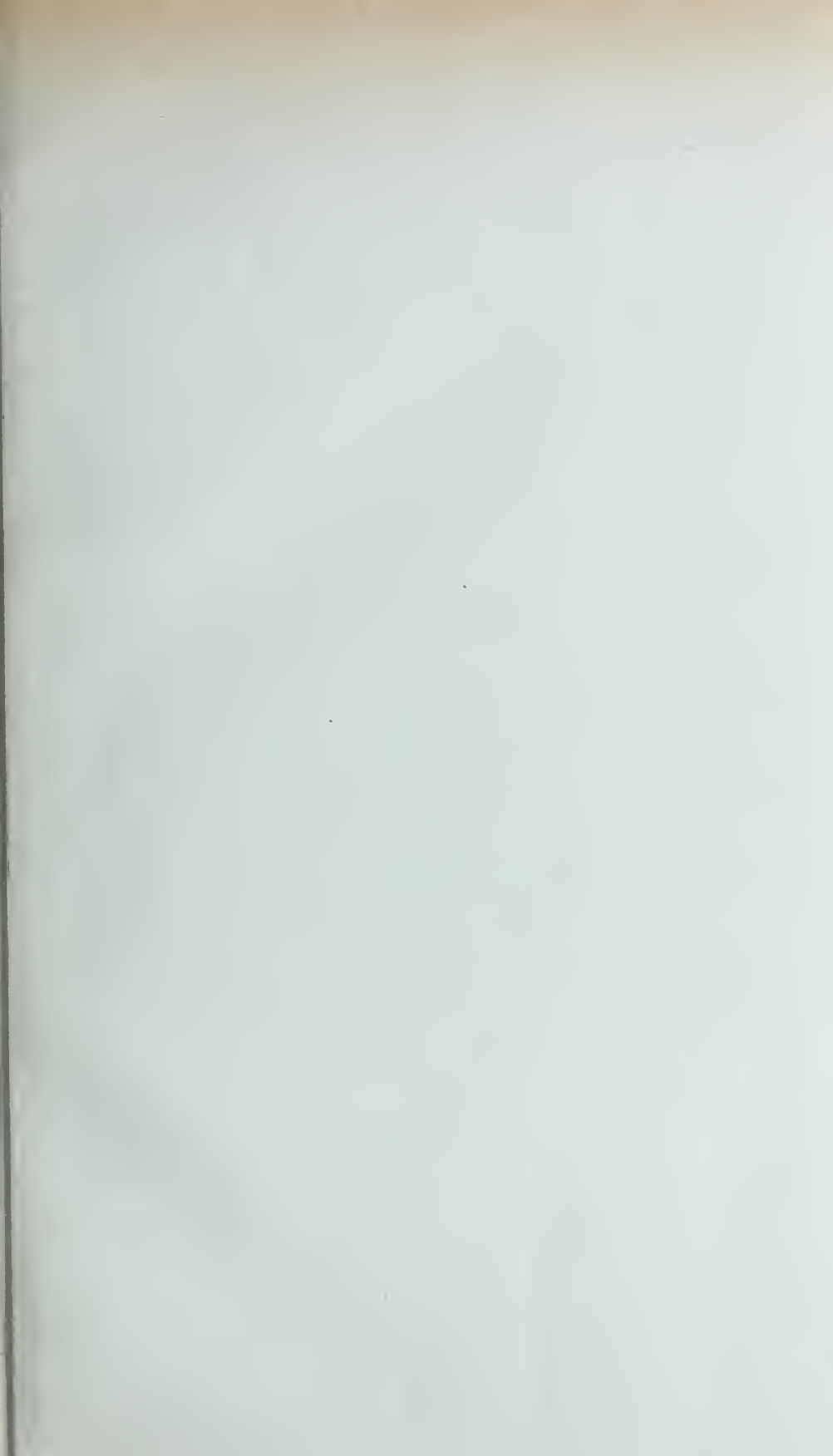
9. The Chairman shall furnish copies of this Order to all local selective service boards.

10. The Chairman may delegate any of his duties and powers under this Order to any officer or employee of the War Manpower Commission and may utilize the services of any Federal officer, employee, or agency.

11. The Chairman shall prescribe such regulations as may be necessary to carry out the purposes of this Order, including such additional criteria for the designation of key positions as he may deem necessary.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 6, 1943.





given to understand, however, that it is the opinion of the Committee on Post Offices and Post Roads that this does not amount to discrimination, and I have understood they have arrived at that conclusion because they feel there is a preexisting discrimination against the Post Office Department before any adjustment is made.

I should like to have the Senator explain if that is the fact, because otherwise it might result in discrimination, and if the bill for the post-office employees were passed and were discriminatory in their favor, we would be faced next week with that argument when we bring out our civil-service bill. I want to make sure the bills are not discriminatory when compared with each other.

Mr. BARKLEY. Mr. President, will the Senator from New York yield to me to make an announcement for the information of the Senate before he proceeds?

Mr. MEAD. I yield.

Mr. BARKLEY. Following the disposition of the pending bill, it is expected that the Senate will take up Calendar 117, which deals with the deferment under the Selective Service Act of certain Government employees. Following that, it is the intention to go into executive session to consider the nomination of Admiral Land, Chairman of the Maritime Commission. I wanted Senators to know the program so that they would be governed accordingly.

Mr. MEAD. Mr. President, if I were to reveal the thoughts which motivated the minds of the committee, particularly my own thoughts, I would have to take the Senate back to 1925, which was the time when the postal employees in the field service received their last pay raise. Then I would have to take into consideration legislation enacted providing for increases to other employees, and I would have to add to that the fact that the other employees of the Government are divided, as the Senator well knows, into two groups. Forty percent of them are provided for under the legislation which came out of the Civil Service Committee, of which the Senator from Ohio and I are members. Sixty percent of them, as a result of laws enacted by Congress, have their wages adjusted from time to time by wage boards. The latter class have received a successive number of increases during the past 2 years.

Mr. BURTON. Increases in the basic rates of pay, really.

Mr. MEAD. Increases in basic rates, not temporary rates. I would have to say that we have given that consideration, and we particularly emphasize the fact that it would be better to compare employees of the field services of the other departments, who received successive increases, with the employees affected by the pending bill, because the employees under the pending bill are field employees also, rather than employees in the District of Columbia. Then we take into consideration the fact that within the last few years we passed the automatic promotion bill, which applies, not to postal workers, not to workers in the field service who have their wages adjusted by wage boards, but to

departmental workers in the District of Columbia, who will be included in the bill which the committee has just reported.

We would have to take into consideration the increases all along the line approved by the Congress in recent years for custodial employees, and for policemen, guards, mechanical workers, skilled workers, and so forth, who are in the departmental service, but whose wages are not fixed by wage boards. So, taking them all into consideration, and dividing the postal workers into two classes, those who work on a mileage or fee and on a revenue basis and cannot have their hours adjusted, and are not to be given any overtime pay, and those who work on an hourly basis and can be adjusted to a longer hourly wage, and who will be given a bonus plus overtime, it is the opinion of the committee that if there is any discrimination over a period of years, the discrimination lies against the postal employees, and not in their favor.

Mr. BURTON. Mr. President, that is the point on which I want to be clear. I think there is a generally sympathetic attitude toward postal employees because of the service they render, but we must not discriminate in favor of or against them. I take it what the Senator from New York is saying is that there now exists sufficient discrimination against the postal employees so that when this bill gives them an average of \$656 total increase, including both their standard overtime and their \$300 bonus, as compared with the civil-service employee getting \$453, the Senator regards that as evening up an existing discrimination against the postal employees. The Senator therefore regards this bill as being in conformity with the civil service employee bill, so that when the civil service employee bill comes up for consideration next week we can say that it is in conformity with the bill now under consideration.

Mr. MEAD. Yes. And further, we do not place all the field employees of the Postal Service on an overtime basis. Many of them will work straight time, and if they relied on overtime to increase their earnings they would not have any increase in earnings. So the bill as we have written it will allow the Postal Service employees to work one station 48 hours, another station 44 hours, and the third station 40 hours a week.

Mr. BURTON. Mr. President, I have heard discussion to the effect that the Post Office Department itself had some objection to this bill with which I am not familiar. The Department even indicated, through some witnesses in the House hearings, that the bill may run into a veto on the basis of discrimination. I should like to have the Senator from New York assure the Senate that he can meet that argument of discrimination sufficiently so as to overcome the objection on the part of the Post Office Department.

Mr. McKELLAR. Mr. President, if the Senator from New York will yield to me I think I can answer the question asked by the Senator from Ohio.

Mr. MEAD. I yield.

Mr. McKELLAR. The Post Office Department did have such a view. The Post Office officials examined into the matters which have just been discussed by the Senator from New York [Mr. MEAD] and the Senator from Ohio [Mr. BURTON], and came to the same conclusion the committee has reached, and have given this bill their approval, on the ground that there has been a previous discrimination against the employees of the Post Office Department in the matter of salaries and wages. It was for that reason that the Department approved the bill, and it is agreed to by all sides. I hope the bill may pass. I am perfectly willing to accept the amendment which has been offered to the bill.

Mr. BURTON. I should like to add to the point I have made that I think there is no more important principle involved in all pay-roll discussion than that of equality of treatment.

Mr. McKELLAR. I agree with the Senator from Ohio.

Mr. BURTON. That principle is more important than the rate of pay itself. Therefore, if the pending bill is in conformity with the civil-service bill, I think it has met that most important principle, and the passage of the pending bill will become an argument in favor of the passage of the civil service bill as we have approved it in committee.

Mr. MEAD. I agree with the Senator from Ohio. I think the important principle he has mentioned is contained in the pending bill, as well as in the civil-service employees bill, and the bill relating to employees of the District of Columbia. I wish to say, Mr. President, that I think the Senator from Ohio has devoted more time to consideration of those bills, and has been more helpful than anyone else in attempting to arrive at the uniformity of which he has just spoken.

Mr. GEORGE. Mr. President, I should like to offer an amendment. In the absence of knowledge of what the Comptroller General might be compelled to hold in construing the bill, and in order that it may go to conference, so that the matter will be open, I offer an amendment, on page 2, at the end of line 8, to add a proviso as follows:

Provided, That the additional compensation at the rate of \$300 per annum shall not be considered in computing or fixing the earned basic compensation for any purpose under this act.

Mr. MEAD. Mr. President, I shall be glad to accept the amendment offered by the distinguished Senator from Georgia.

The PRESIDING OFFICER (Mr. GURNEY in the chair.) Does the Chair understand that the amendment offered by the Senator from Georgia is an amendment to the amendment of the Senator from New York, which is now pending?

Mr. MEAD. My amendment is pending, and I should like to have it agreed to. Then action on the amendment proposed by the Senator from Georgia would be in order.

The PRESIDING OFFICER. Without objection, the amendment offered by the

Senator from New York [Mr. MEAD] on page 2, line 8, is agreed to.

Mr. GEORGE. Mr. President, the amendment which I have offered is on page 2, at the end of line 8, as follows:

Provided, That the additional compensation at the rate of \$300 per annum shall not be considered in computing or fixing the earned basic compensation for any purpose under this act.

Mr. MEAD. I ask that the amendment offered by the Senator from Georgia be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BYRD. Mr. President, I wish to suggest to the Senator from New York that the same expiration date should apply to the proposed legislation that applies to the bill which was reported by the Civil Service Committee with respect to other employees of the Government. That bill was also introduced by the Senator from New York, and it provided as follows:

This act shall take effect on May 1, 1943, and shall terminate on June 30, 1945, or such earlier date as the Congress by concurrent resolution may prescribe.

The pending bill provides:

This act shall take effect May 1, 1943, and shall remain in effect for the duration of the war and for 6 months thereafter, or until such earlier date as Congress by concurrent resolution may prescribe.

Mr. President, I have no preference as between the two provisions, except I think a definite date is somewhat preferable.

Mr. McKELLAR. There would be no objection to the substitution of the language first read by the Senator from Virginia.

Mr. MEAD. Mr. President, in the interest of uniformity I believe we should accept, as an amendment, the language first read by the Senator from Virginia. I think that language ought to apply to every similar bill.

Mr. BYRD. This is emergency legislation.

Mr. MEAD. I concur in the proposal made by the Senator from Virginia.

Mr. BYRD. Mr. President, I submit as an amendment the following language, as a substitute for section 3 of the bill:

Sec. 3. This act shall take effect on May 1, 1943, and shall terminate on June 30, 1945, or such earlier date as the Congress by concurrent resolution may prescribe.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill H. R. 1366 was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 360, a similar bill, will be indefinitely postponed.

SELECTIVE-SERVICE DEFERMENT, ON OCCUPATIONAL GROUNDS, OF GOVERNMENT EMPLOYEES

Mr. LODGE. Mr. President, I move that the Senate proceed to the consideration of Senate bill 886, Calendar No. 117.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 886) relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

Mr. McCARRAN. Mr. President, I ask that the calendar number of the bill be stated.

The PRESIDING OFFICER. The bill is Calendar No. 117.

Mr. McCARRAN. Mr. President, may we have an explanation of the bill?

Mr. LODGE. Mr. President, the purpose of the bill is to prevent employment in the Federal service to be used as a device for evading the draft. The bill does three things. In the first place, it reaffirms the Executive order issued by the President on the 6th of March, which set up the procedure for determining whether an employee in the executive branch is essential; and unless he is essential he cannot be deferred from the draft. That is the first thing the bill does.

The second thing it does is to set up a similar system for employees of the legislative and judicial branches of the Government. It was not felt that the Congress could take a very strong position relative to prevention of evasion of the draft by employees of the executive branch, and not take a similar position and apply similar standards as to the employees of both Houses of Congress.

The third feature of the bill is that it provides that the names of persons who are deferred shall be transmitted to Congress.

In other words, the bill represents a moderate and, I think, a sensible approach to a problem about which there is a great deal of talk and discussion. I think the bill is one which will be welcomed by every person of good will who is in the Federal service. The only persons who will not like it are those who make up the very small percentage of employees seeking to evade the draft.

I may say that the thought for the bill did not originate in my mind; I was simply one of many Senators who thought of doing something about the matter. In the first place, the junior Senator from South Carolina [Mr. MAYBANK] joined himself with me in introducing it; but I should also mention the senior Senator from Tennessee [Mr. McKELLAR] and the senior Senator from

Arizona [Mr. HAYDEN], who in the Appropriations Committee discussed this subject and brought it forward with their customary eloquence.

It was first thought to accomplish the desired end by means of a limitation on an appropriation bill, but subsequently it was felt that it would be more expeditious to proceed in the regular way, by introducing a bill and having it referred to the Committee on Military Affairs.

Consequently, we drafted the bill. The Committee on Military Affairs was unanimous in reporting it favorably, and I hope it will be passed by the Senate.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. HAYDEN. As I observe section (d) at the bottom of page 3, which provides that, "For the purposes of this section and Executive Order No. 9309, the Government Printing Office shall be deemed to be an agency in the executive branch of the Government," it seems to me that is a sound proposition, and that the Library of Congress should likewise be presumed to be such. I suggest to the Senator that, in line 1, page 4, the word "shall" be stricken out, and the words "and the Library of Congress shall each" be inserted.

Mr. LODGE. I am glad to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill S. 886 was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) in the classification, reclassification, or deferment, under section 5 (c) (2) or section 5 (e) of the Selective Training and Service Act of 1940, as amended, of persons employed in or under the Federal Government, no consideration shall be given to the fact that any such person is so employed, unless a request for the deferment of such person shall have been made (1) in accordance with the provisions of Executive Order No. 9309, dated March 6, 1943, in the case of persons employed in the executive branch of the Government, or (2) in accordance with the provisions of subsection (b) of this section in the case of persons employed in the judicial or legislative branches of the Government.

(b) There is hereby established (1) a committee in the judicial branch of the Government to consist of such persons in the judicial branch of the Government as may be appointed to such committee by the Chief Justice of the United States, and (2) a committee in the legislative branch of the Government to consist of three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House of Representatives to be appointed by the Speaker of the House. The committees established under this subsection shall have powers and duties with respect to officers and employees in their respective branches of the Government corresponding to the powers and duties of the committees established pursuant to Executive Order No. 9309, and shall make all requests for selective-service occupational deferment of officers or employees in

their respective branches of the Government; and no request for the occupational deferment of any such officer or employee shall be considered by any local board unless it has been made by one of such committees. In exercising their functions under this section such committees shall, as far as practicable, follow the procedures and standards set forth in such Executive Order No. 9309; and the provisions of such Executive order, insofar as they are not inconsistent with this subsection, shall be deemed to apply with respect to persons employed in the judicial and legislative branches of the Government, except that this section shall not be deemed to confer upon the Chairman of the War Manpower Commission or the Review Committee on Deferment of Government Employees any jurisdiction with respect to such persons.

(c) Beginning 60 days after the date of enactment of this act, the Director of Selective Service shall make monthly reports to the Congress showing, as nearly currently as is practicable, the names and positions of the persons who have been deferred or placed in any class or subdivision of a class under such sections 5 (c) (2) or 5 (e) because of their employment in or under the Federal Government, and showing whether or not requests for the deferment of such persons have been made in accordance with such Executive order or subsection (b) of this section; and such Director shall obtain from the selective-service local boards, and from the several departments and agencies of the Federal Government, such information as may be necessary for this purpose.

(d) For the purposes of this section and Executive Order No. 9309, the Government Printing Office and the Library of Congress shall each be deemed to be an agency in the executive branch of the Government.

NOMINATION OF REAR ADMIRAL EMORY S. LAND—AGREEMENT TO VOTE

Mr. BAILEY. Mr. President, upon the suggestion of the Senior Senator from Kentucky [Mr. BARKLEY], who is momentarily absent, I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. Without objection—

Mr. AIKEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Mahoney
Austin	Guffey	Overton
Bailey	Gurney	Reed
Ball	Hatch	Revercomb
Bankhead	Hawkes	Reynolds
Barkley	Hayden	Robertson
Bone	Holman	Russell
Brewster	Johnson, Calif.	Scrugham
Bridges	Johnson, Colo.	Shipstead
Brooks	Kilgore	Smith
Buck	La Follette	Stewart
Burton	Langer	Thomas, Idaho
Bushfield	Lodge	Thomas, Okla.
Butler	Lucas	Thomas, Utah
Byrd	McCarran	Truman
Capper	McClellan	Tunnell
Caraway	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Mo.	McNary	Van Nuys
Connally	Maloney	Wagner
Davis	Maybank	Wallgren
Downey	Mead	Wherry
Eastland	Millikin	White
Ellender	Moore	Wiley
Ferguson	Murdock	Willis
George	Murray	Willson
Gerry	Nye	
Gillette	O'Daniel	

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from North Carolina [Mr. BAILEY] that the Senate proceed to the consideration of executive business. There being no objection—

Mr. HOLMAN. Mr. President, there is objection.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Carolina [Mr. BAILEY].

The motion was not agreed to.

Mr. BAILEY. Mr. President, I am very anxious that the Senate shall proceed to consider the pending nomination of Admiral Land. I was rather surprised at the negative vote on the question of going into executive session. I think it was quite clear that the nays were in the majority. I do not know just what is the purpose of the delay. Why should we postpone the consideration of this nomination? It has been before the Senate for fully a week, I should say, probably 10 days. The nominee is not unknown to us. He has served the Government of the United States for more than 40 years. At the hands of his countrymen he has received practically every honor which can be given a naval officer. He has served in naval construction from the period prior to the First World War up to the present time. He has served in the capacity for which he has been reappointed—that is, as a member of the Maritime Commission—for the last 6 years.

The President of the United States has not sent to the Senate the name of a new, unknown, or untried man. On the other hand, by reason of the intimacy of their dealings during the present emergency, the President has sent the name of a man who is probably better known to himself than any other man available for this position. Not only that but ever since he has been chairman of the Maritime Commission, Admiral Land has, week in and week out, dealt frankly with the Commerce Committee of the United States Senate. There are few men in this country who are better known to the members of the Commerce Committee than is Admiral Land. As chairman of the Commerce Committee I am perfectly willing to say that among the officials of the United States Government Admiral Land is better known to me than is any other person. So I cannot see why there should be any delay in passing upon the merits of the nominee. I should not like to suspect that the Senate has refused to go into executive session without some very good reason, but the reason has not been disclosed. I do not even believe that Senators who voted against going into executive session would vote against the confirmation of Admiral Land. The presumption in my mind is that they would be in favor of confirming his nomination. I hope I am not mistaken. At any rate, the nomination is before the Senate. For 6 years the President has dealt with Admiral Land as a member of his administration, and as the leader and keyman at the key point of the war effort.

Mr. McFARLAND. Mr. President, will the Senator yield for the purpose of suggesting the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from North Carolina yield for that purpose?

Mr. DOWNEY. Before that, let me ask a question, as I am unadvised concerning the matter. Was there a vote recently against going into executive session?

Mr. BAILEY. Yes.

Mr. DOWNEY. A viva voce vote?

Mr. BAILEY. Yes, a viva voce vote.

The PRESIDING OFFICER. Does the Senator from North Carolina yield for the purpose of a quorum call?

Mr. BAILEY. I yield to the Senator from Arizona.

Mr. McFARLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Mahoney
Austin	Guffey	Overton
Bailey	Gurney	Reed
Ball	Hatch	Revercomb
Bankhead	Hawkes	Reynolds
Barkley	Hayden	Robertson
Bone	Holman	Russell
Brewster	Johnson, Calif.	Scrugham
Bridges	Johnson, Colo.	Shipstead
Brooks	Kilgore	Smith
Buck	La Follette	Stewart
Burton	Langer	Thomas, Idaho
Bushfield	Lodge	Thomas, Okla.
Butler	Lucas	Thomas, Utah
Byrd	McCarran	Truman
Capper	McClellan	Tunnell
Caraway	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Mo.	McNary	Van Nuys
Connally	Maloney	Wagner
Davis	Maybank	Wallgren
Downey	Mead	Wherry
Eastland	Millikin	White
Ellender	Moore	Wiley
Ferguson	Murdock	Willis
George	Murray	Willson
Gerry	Nye	
Gillette	O'Daniel	

The PRESIDING OFFICER. Eighty-two Senators have answered to their names, a quorum is present.

Mr. BAILEY. Mr. President, I will be compelled to conclude the statement which I had begun to make. When I yielded for the purpose of having the absence of a quorum suggested, I was saying that Admiral Land is not only known to the President and to the country but is extremely well known to the members of the Commerce Committee of the United States Senate, and the committee, without exception, has reported his nomination favorably. He has dealt with the committee for a long time. The maritime activity of the committee is, I think, its greatest, most important, and certainly its most difficult activity. So Admiral Land, in his position as a member of the Commission and as Chairman of the Commission and as War Shipping Administrator, has so conducted himself as to commend himself not only to the President, who, by the way, could have removed him at any time under law for neglect of duty or malfeasance in office, but he has also commended himself to the committee, which, I think, has been guided very largely by his advice and his experience.

Since I began, however, we have had a conference of an informal character, the Democratic leader has come into the Senate, and it has been suggested that the question of an executive session be not

pressed at this time, with the understanding that when the Senate next meets, which I understand, will be on the coming Tuesday, we shall proceed not only to executive session but to the consideration of the nomination of Admiral Land to be a member of the Maritime Commission.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. BARKLEY. I wish to say that this nomination has been pending now for some 10 days or more, following its report from the Committee on Commerce. It has gone over from day to day because certain Members of the Senate desired to address the Senate on the subject. It was my understanding the last time the Executive Calendar was called that at the next executive session, when we would have time to discuss the nomination, it would be taken up and considered and disposed of. When we met today it was impossible to anticipate the course of events which would bring about a situation in which we would have time to consider the nomination and give to everyone interested an opportunity to discuss it. I do not know how many Senators wish to discuss the nomination, but I have been advised that the Senator from Michigan [Mr. FERGUSON], who is a member of the committee, desires to address the Senate on the nomination, and that he is now tied up in an interrogation in the Truman committee, with Mr. John L. Lewis before that committee, and now under process of cross-examination.

I am not willing to have the nomination delayed any longer than the next meeting of the Senate. It had been my purpose to bring about a call of the calendar on Tuesday next, when I hope the Senate may meet again, and that following that we would take up whatever unfinished business there might be. But I have consulted the Senator from North Carolina, and he says no harm will come by further delay until next Tuesday. I shall therefore propose a unanimous-consent request that next Tuesday, following the conclusion of the routine morning business, the Senate shall go into executive session immediately for the consideration of the nomination of Admiral Land, and that at not later than 3 o'clock p. m. the Senate shall proceed to vote on the nomination.

Mr. HOLMAN. Why should there be only an hour or so for the consideration of this important nomination? Why put a limit on the time?

Mr. BARKLEY. There would be no limit on the time. As the Senator knows, the routine morning business is nearly always concluded within a very short time, and immediately upon the conclusion of the routine morning business the Senate would go into executive session.

Mr. HOLMAN. But there is a limit proposed on the time in executive session?

Mr. BARKLEY. I was requesting that a vote be taken at not later than 3 o'clock.

Mr. HOLMAN. That is what I was inquiring about. I think probably that

is too close a limitation for the debate which will no doubt ensue.

Mr. BARKLEY. I doubt that, because we know that the routine morning business is over usually within not more than 30 minutes. I know of no reason why it should be delayed longer on Tuesday. I could propose that the Senate go into executive session for the immediate consideration of the nomination upon convening on Tuesday, without regard to morning business, and, furthermore, if we go into executive session today, which I hope we may, for the consideration of the other nominations on the Executive Calendar, and take a recess as in executive session, we will meet in executive session on Tuesday, and we could immediately enter upon the consideration of the nomination, and would have practically 3 hours for debate.

Mr. McNARY. Mr. President, the latter suggestion of the able Senator from Kentucky really approaches what I had in mind. I think the Senate should take a recess today, if we enter into an agreement, and meet at 12 o'clock Tuesday, which would prevent the necessity of having routine morning business.

Mr. BARKLEY. That is entirely agreeable because we could put off the routine morning business until after the final vote on the nomination.

Mr. McNARY. The routine morning business usually ends in 15 or 20 minutes, but under the suggestion we would start consideration of the nomination at 12 o'clock. I concur that there should be no further delay in the consideration of the nomination. The suggestion has been made that the time be equally divided between those for the nomination and those opposing it.

Mr. BARKLEY. That is entirely agreeable, provided the Senator from North Carolina [Mr. BAILEY], the chairman of the Committee on Commerce, may control the time in favor of the nomination, and that the junior Senator from Vermont (Mr. AIKEN), who seems to be most active in the matter on the other side, control the time of the opposition.

Mr. AIKEN. Mr. President, a few moments ago, when I discussed the matter with the majority leader and said that, so far as I knew, we could finish any presentation in 3 hours' time, it did not occur to me that perhaps the Senator from North Carolina, who takes a somewhat different view of some matters from that taken by some of the others of us, might require a considerable amount of time. Day before yesterday we found on our desks the CONGRESSIONAL RECORD, containing 40,000 words which had been inserted the previous day by the Senator from North Carolina. I certainly would not wish to limit the time to 3 hours, and then let him read those 40,000 words, because he could not do it in the time suggested.

Mr. BAILEY. Mr. President, I should like to say to the Senator that he is unduly suspicious.

Mr. AIKEN. I have had 2 days, and have not yet been able to read all the material the Senator put into the Record.

Mr. BARKLEY. I do not know how many words there are; I have not counted them.

Mr. AIKEN. There are more than 40,000.

Mr. BARKLEY. No doubt the Senator from North Carolina had them printed in the Record so that Senators might read them, so he himself would not be required to read to the Senate the 40,000 words, if there are that many.

Mr. AIKEN. So far as I know, the evidence would probably be presented in about 3 hours. I do not, however, undertake to speak for any of my colleagues. I doubt whether an hour and a half would be sufficient time, because I might require an hour, and the Senator from New Hampshire, I believe, has requested time. He had to leave today because of illness in his family. I do not know how much time the Senator from Michigan [Mr. FERGUSON] will feel he may need, but it seems to me that we probably could present a good deal of the evidence in 3 hours.

Mr. BARKLEY. The Senator from New Hampshire [Mr. TOBEY] is usually a very vigorous speaker, but not a long-winded speaker. I dare say he would not require a great deal of time.

Mr. AIKEN. I do not know whether there are other Senators who will require time. I would rather have the Senator from Oregon and the Senator from North Dakota speak for themselves, because they are perfectly able to do so.

Mr. BARKLEY. I will modify my request by changing the hour so as to provide that at not later than 4 p. m. the Senate shall proceed to vote.

Mr. AIKEN. Why not let us take all day, if necessary, up to midnight?

Mr. BARKLEY. It is perfectly ridiculous to suggest that we take to midnight.

Mr. AIKEN. I wish to get the matter out of the way just as much as does any other Senator, because we all have much else to do.

Mr. BARKLEY. I conferred with the Senator from Vermont, and I thought he agreed that 3 o'clock would be acceptable.

Mr. AIKEN. I told the Senator from Kentucky that I thought probably we could present all the evidence we had in 3 hours, but I do not want to be put in the position of speaking for other Members of the Senate.

Mr. BARKLEY. Mr. President, if it is agreeable to the Senator from North Carolina, I will ask that the Senate proceed immediately to the consideration of executive business when we meet Tuesday, that we vote at not later than 4 o'clock p. m., and that the Senator from North Carolina [Mr. BAILEY] control one-third of the time and the Senator from Vermont [Mr. AIKEN] control two-thirds. Is that agreeable?

Mr. AIKEN. That is quite a responsibility to put on the Senator from Vermont.

Mr. BARKLEY. That does not mean the Senator would have to occupy all that time; he would have control of it. That would give the opposition—

Mr. AIKEN. Four hours for debate.

Mr. BARKLEY. No; it would give the opposition two-thirds of 4 hours, and it

march



Committee on Insular Affairs to investigate the political, economic, and social conditions in Puerto Rico; without amendment (Rept. No. 316). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 192. Resolution for consideration of H. R. 1730, a bill to amend paragraph (1) of section 5 (e) of the Selective Training and Service Act of 1940, as amended, without amendment (Rept. No. 317). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SNYDER:

H. R. 2313. A bill to defray the cost of travel and transportation of household effects of Government employees transferred other than by their own request, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. D'ALLESANDRO:

H. R. 2314. A bill to grant credit, in computing service for pay purposes, to certain commissioned officers of the Coast Guard for services as civilian employees in the Bureau of Lighthouses; to the Committee on Military Affairs.

By Mr. BARRY:

H. R. 2320. A bill to establish a Civilian Supply Administration, and for other purposes; to the Committee on Banking and Currency.

By Mr. RANKIN:

H. R. 2321. A bill to amend section 603, title VI, Public Law 801, Seventy-sixth Congress, approved October 8, 1940; to the Committee on Ways and Means.

H. R. 2322. A bill to amend subparagraphs (a) and (d) of paragraph 1 of part III of Veterans Regulation 1 (a), as amended; to the Committee on World War Veterans' Legislation.

By Mr. GWYNNE:

H. J. Res. 106. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. MASON:

H. J. Res. 107. Joint resolution proposing an amendment to the Constitution of the United States by disqualifying any person from serving as President for more than two elective terms; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. CALDWELL D. JOHNSON:

H. Res. 190. Resolution expressing the sense of the House that certain members of the armed forces be released from active duty in order to increase the supply of farm labor during the calendar year 1943; to the Committee on Military Affairs.

By Mr. SCHWABE:

H. Res. 191. Resolution expressing the sense of the House that certain members of the armed forces be released from active duty in order to increase the supply of farm labor during the calendar year 1943; to the Committee on Military Affairs.

By Mr. MAAS:

H. Res. 193. Resolution providing for the consideration of H. R. 1364, a bill to amend the Naval Reserve Act of 1938, as amended; to the Committee on Rules.

By Mr. PHILLIPS:

H. Res. 194. Resolution for the relief of William A. Pixley; to the Committee on Accounts.

By Mr. COFFEE:

H. Res. 195. Resolution granting a gratuity to Leonard G. Peck; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York:

H. R. 2315. A bill for the relief of Ethel Phillips; to the Committee on Claims.

By Mr. HOPE:

H. R. 2316. A bill granting a pension to Canzada Minton; to the Committee on Invalid Pensions.

By Mr. McMURRAY:

H. R. 2317. A bill for the relief of John F. L. O'Leary; to the Committee on Claims.

By Mr. MANASCO:

H. R. 2318. A bill for the relief of Mrs. Neola Cecile Tucker; to the Committee on Claims.

By Mr. PHILLIPS:

H. R. 2319. A bill to permit the naturalization of Raymundo Gonzales, Santa Ana, Calif.; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

361. By Mr. MANSFIELD of Montana: Petition of the Twenty-eighth Legislative Assembly of the State of Montana; to the Committee on Foreign Affairs.

362. By Mr. STIVAN: Assembly Joint Resolution No. 10 of the Nevada Legislature, petitioning Congress to keep open in winter mountain passes over the Sierra as a defense measure; to the Committee on Military Affairs.

363. Also, Assembly Joint Resolution No. 6 of the Nevada Legislature, memorializing Congress to decentralize the Office of Price Administration; to the Committee on Banking and Currency.

364. Also, Assembly Joint Resolution No. 13 of the Nevada Legislature, petitioning Congress to enact S. 450 for the compensation of civilian defense workers and others for damages suffered in the conduct of their duties; to the Committee on Appropriations.

I am giving herewith an outline of the meat-rationing plan:

MEAT INDUSTRY PROGRAM FOR SOLVING WARTIME MEAT PROBLEMS

Wartime meat controls are not functioning in the public interest.

Recognizing the need for an over-all comprehensive meat-management program that will work, the industry has produced such a plan through the coordinated efforts of more than 200 operating heads of various departments of a large number of meat-packing companies. They were assigned to study the industry operations in which each had had many years of experience.

Every avenue of approach led to the one unescapable fact that demand must be balanced with supply.

The outline of the program which they have produced is as follows:

Since there is not enough meat to go around, the Government must decide to what extent civilian demand for meat shall be restricted in order to free meat for Government needs. Rationing tickets are then issued to permit the public to purchase that amount of meat each week.

In order to make all of the supply available to the meat program, all slaughterers are licensed or put under other compulsion to sell their meat only to the Government itself or to holders of the Government-issued ration tickets.

Then the Government buying program must be managed from day to day and even from hour to hour. Each Government purchase must be made with regard to the supply which is available at the moment. In this way the Government always will be able to maintain the price level which the Government itself may determine.

Of course, Army and Navy needs come first, and coupon values must be set so that there will surely be enough meat left over to take care of these needs every day.

An essential of the whole meat management program, however, is that lend-lease purchases shall be made to fit the flow of livestock to market. When more meat is available, lend-lease must buy more and build up a stock pile. When little meat is available, lend-lease must buy less and draw on its stock pile. If it is determined to increase the total quantity going to lend-lease, it is first necessary to reduce the domestic demand by reducing coupon values and the purchases for lend-lease can be made only after the reduced domestic demand has become effective and after the extra meat has been made available.

This meat-industry program depends on the free play of natural forces with regulations imposed at these two points only—the control of the slaughter of livestock to put the meat into channels where its flow is controllable; consumer rationing to control civilian demand.

Meat management is complete if, and only if, these two controls are used to fortify meat management, which relates coupon demand and Government purchases to the way livestock is flowing to market.

Such a program is adequate and does away with the necessity for quotas, restrictions, price ceilings, and all other devices, which, indeed, under such a program, would hinder rather than help.

EXTENSION OF REMARKS

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include a statement of taxation submitted by the Committee on Taxation of the National Workers Guild.

The SPEAKER pro tempore. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include part of my remarks on the radio program at the Shoreham Hotel, January 24 last.

The SPEAKER pro tempore. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks and include letters protesting against the elimination of the appropriation for the Bureau of Foreign and Domestic Commerce field and regional offices.

The SPEAKER pro tempore. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. ENGLEBRIGHT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BRADLEY], be permitted to extend his remarks in the Record.

The SPEAKER pro tempore. Is there objection?

[The matter referred to appears in the Appendix.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. LARCADE, for 1 week, on account of official business, on account of United States engineers hearing on bridge at Lake Charles, La., over Calcasieu River.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 886. An act relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government; to the Committee on Military Affairs.

ENROLLED BILLS SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1780. An act to increase the debt limit of the United States, and for other purposes; and

H. R. 2068. An act making additional appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1943, and for other purposes.

ADJOURNMENT

Mr. COSTELLO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House, pursuant to the order heretofore made, adjourned until Monday, March 29, 1943, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

Notice of postponement of hearing

(Monday, March 29, 1943)

The hearings scheduled for Monday, March 29, 1943, at 10 a. m., to consider charges of waste of space in ships going to north Africa and delays in ship sailings have been postponed indefinitely.

(Wednesday, March 31, 1943)

The Subcommittee on Fisheries of the Committee on the Merchant Marine and Fisheries will meet in executive hearing at 10:30 a. m. on Wednesday, March 31, 1943, to consider the matter of price ceilings on fishery products.

(Thursday, April 1, 1943)

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, April 1, 1943, at 10 a. m., on S. 163 (H. R. 498) to amend section 511 of the Merchant Marine Act, 1936, as amended, relating to ship construction reserve funds, and for other purposes.

Notice of postponement of hearing

(Thursday, May 13, 1943)

As advised in notice of March 10, 1943, Congressman BATES of Massachusetts, patron of the bill H. R. 1766, upon which hearings were scheduled on April 8, 1943, is a member of the Committee on Naval Affairs and of a subcommittee of that committee which has arranged a schedule of hearings throughout the country which will compel Congressman BATES of Massachusetts to be absent from Washington on April 8 and also April 15.

The chairman of the committee and the Commissioner of Fisheries will be out of town on intervening dates, which will necessitate a further postponement of the hearing until May 13, 1943. You are hereby notified that the hearings scheduled for April 8 and postponed until April 15 have been postponed to May 13, 1943, at 10 a. m., at which time the hearings will follow.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

279. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Interstate Commerce Commission amounting to \$11,700 for the fiscal year 1943 (H. Doc. No. 142); to the Committee on Appropriations and ordered to be printed.

280. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Tax Court of the United States for the fiscal year 1943 (H. Doc. No. 143); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 159. Resolution authorizing the

78TH CONGRESS
1ST SESSION

S. 886

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 1943

Referred to the Committee on Military Affairs

AN ACT

Relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) in the classification, reclassification, or deferment,
4 under section 5 (c) (2) or section 5 (e) of the Selective
5 Training and Service Act of 1940, as amended, of persons
6 employed in or under the Federal Government, no considera-
7 tion shall be given to the fact that any such person is so
8 employed, unless a request for the deferment of such person
9 shall have been made (1) in accordance with the provisions
10 of Executive Order Numbered 9309, dated March 6, 1943.
11 in the case of persons employed in the executive branch of

1 the Government, or (2) in accordance with the provisions
2 of subsection (b) of this section in the case of persons em-
3 ployed in the judicial or legislative branches of the Govern-
4 ment.

5 (b) There is hereby established (1) a committee in
6 the judicial branch of the Government to consist of such
7 persons in the judicial branch of the Government as may be
8 appointed to such committee by the Chief Justice of the
9 United States, and (2) a committee in the legislative branch
10 of the Government to consist of three Members of the Senate,
11 to be appointed by the President of the Senate, and three
12 Members of the House of Representatives to be appointed
13 by the Speaker of the House. The committees established
14 under this subsection shall have powers and duties with re-
15 spect to officers and employees in their respective branches
16 of the Government corresponding to the powers and duties
17 of the committees established pursuant to Executive Order
18 Numbered 9309, and shall make all requests for selective-
19 service occupational deferment of officers or employees in
20 their respective branches of the Government; and no request
21 for the occupational deferment of any such officer or em-
22 ployee shall be considered by any local board unless it has
23 been made by one of such committees. In exercising their
24 functions under this section such committees shall, as far as
25 practicable, follow the procedures and standards set forth in

1 such Executive Order Numbered 9309; and the provisions
2 of such Executive order, insofar as they are not inconsistent
3 with this subsection, shall be deemed to apply with respect
4 to persons employed in the judicial and legislative branches
5 of the Government, except that this section shall not be
6 deemed to confer upon the Chairman of the War Manpower
7 Commission or the Review Committee on Deferment of
8 Government Employees any jurisdiction with respect to such
9 persons.

10 (c) Beginning sixty days after the date of enactment
11 of this Act, the Director of Selective Service shall make
12 monthly reports to the Congress showing, as nearly cur-
13 rently as is practicable, the names and positions of the
14 persons who have been deferred or placed in any class or
15 subdivision of a class under such sections 5 (c) (2) or 5
16 (e) because of their employment in or under the Federal
17 Government, and showing whether or not requests for the
18 deferment of such persons have been made in accordance
19 with such Executive order or subsection (b) of this section;
20 and such Director shall obtain from the selective-service
21 local boards, and from the several departments and agencies
22 of the Federal Government, such information as may be
23 necessary for this purpose.

24 (d) For the purposes of this section and Executive Order
25 Numbered 9309, the Government Printing Office and the

- 1 Library of Congress shall each be deemed to be an agency
- 2 in the executive branch of the Government.

Passed the Senate March 26 (legislative day, March 23), 1943.

Attest:

EDWIN A. HALSEY.

Secretary.

AN ACT

Relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government.

MARCH 27, 1943

Referred to the Committee on Military Affairs

listen to these rules will not be inconvenienced because of the cancellation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

WAR SECURITY BILL

The SPEAKER pro tempore. The Clerk will report the next amendment offered by the gentleman from Texas.

Mr. SHAFER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Michigan makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and nine Members present, not a quorum.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 17 minutes p. m.) the House adjourned until tomorrow, Thursday, April 1, 1943, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE OF THE MERCHANT MARINE AND FISHERIES

(Thursday, April 1, 1943)

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, April 1, 1943, at 10 a. m., on S. 163 (H. R. 498), to amend section 511 of the Merchant Marine Act, 1936, as amended, relating to ship construction reserve funds, and for other purposes.

Notice of postponement of hearing

(Tuesday, April 6, 1943)

The meeting of the Subcommittee on Fisheries of the Committee on the Merchant Marine and Fisheries which was scheduled for Wednesday, March 31, 1943, at 10:30 a. m., to consider the matter of price ceilings on fishery products, has been postponed until Tuesday, April 6, 1943, at 10 a. m.

Notice of postponement of hearing

(Thursday, May 13, 1943)

As advised in notice of March 10, 1943, Congressman BATES of Massachusetts, patron of the bill H. R. 1766, upon which hearings were scheduled on April 8, 1943, is a member of the Committee on Naval Affairs and of a subcommittee of that committee which has arranged a schedule of hearings throughout the country which will compel Congressman BATES of Massachusetts to be absent from Washington on April 8 and also April 15.

The chairman of the committee and the Commissioner of Fisheries will be out of town on intervening dates, which will necessitate a further postponement of the hearing until May 13, 1943. You are hereby notified that the hearings scheduled for April 8 and postponed until April 15 have been postponed to May 13, 1943, at 10 a. m., at which time the hearings will follow.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

[Omitted from the Record of March 30, 1943]

290. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to amend section 4 of the act of May 31, 1933 (48 Stat. 108), enacted for the purpose of promoting the welfare of Indians of the Taos pueblo, New Mexico, and of protecting their interests in certain lands within the Carson National Forest; to the Committee on Indian Affairs.

292. A letter from the Chairman, Board of Investigation and Research, transmitting a summary report on its study of interterritorial freight rates (H. Doc. No. 145); to the Committee on Interstate and Foreign Commerce and ordered to be printed, with illustrations.

293. A communication from the President of the United States, transmitting an estimate of appropriation for the Office of Censorship for the fiscal year 1944, amounting to \$29,998,400 (H. Doc. No. 147); to the Committee on Appropriations and ordered to be printed.

[Submitted March 31, 1943]

294. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to reserve certain land on the public domain in Utah for addition to the Kanosh Indian Reservation; to the Committee on Indian Affairs.

295. A letter from the United States Department of the Interior, Geological Survey—representative of the United States, Republican River compact negotiations, transmitting a copy of the proposed Republican River compact; to the Committee on Irrigation and Reclamation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SNYDER: Committee on Appropriations. H. R. 2346. A bill making appropriations for the fiscal year ending June 30, 1944, for civil functions administered by the War Department, and for other purposes; without amendment (Rept. No. 331). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 886. An act relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government; without amendment (Rept. No. 333). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLOOM: Committee on Foreign Affairs. H. R. 2292. A bill to amend an act entitled "An act to provide for the use of the American National Red Cross in aid of the land and naval forces in time of actual or threatened war"; without amendment (Rept. No. 334). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PITTENGER: Committee on Claims. H. R. 1870. A bill for the relief of Jane Thayer; without amendment (Rept. No. 332). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H. R. 2347. A bill granting pensions to veterans, and the widows and dependent children of veterans, of the World War equivalent to pensions granted to veterans, and the widows and dependent children of veterans of the War with Spain; to the Committee on World War Veterans' Legislation.

H. R. 2348. A bill to provide a minimum allotment for farm marketing quota purposes of five bales of lint cotton; to the Committee on Agriculture.

H. R. 2349. A bill to adjust the pay status of warrant officers temporarily commissioned in the Army of the United States; to the Committee on Military Affairs.

By Mr. BUCKLEY:

H. R. 2350. A bill to liberalize the service pension laws relating to veterans of the War with Spain, the Philippine Insurrection, and the China Relief Expedition, and their dependents; to the Committee on Pensions.

By Mr. FISH:

H. R. 2351. A bill to amend title 1, section 1, of the Alien Registration Act, 1940 (sec. 9, title 18, U. S. C.); to the Committee on Immigration and Naturalization.

H. R. 2352. A bill to amend title 1, sections 1, 3, and 5 of the Alien Registration Act, 1940 (secs. 9 and 11, title 18, U. S. C.); to the Committee on Immigration and Naturalization.

By Mr. RANKIN:

H. R. 2353. A bill to provide for furnishing transportation in Government-owned automotive vehicles for employees of the Veterans' Administration at field stations in the absence of adequate public or private transportation; to the Committee on World War Veterans' Legislation.

By Mr. LEA:

H. J. Res. 108. Joint resolution commemorating May 15, 1943, as the anniversary of the inauguration of Air Mail Service; to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN of Michigan:

H. J. Res. 109. Joint resolution to provide for the recognition by the United States Government of the provisional government of the Republic of Korea; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States expressing their gratitude for the benefits they have received from the Federal Government; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUCHINCLOSS:

H. R. 2354. A bill for the relief of Mrs. Phoebe Sherman; to the Committee on Claims.

H. R. 2355. A bill for the relief of Mrs. Harriett W. Vanderhoef; to the Committee on Claims.

H. R. 2356. A bill for the relief of Allan Vanderhoef; to the Committee on Claims.

By Mr. BATES of Massachusetts:

H. R. 2357. A bill for the relief of Caroline S. (Bauer) Ramber; to the Committee on Claims.

By Mr. HULL:

H. R. 2358. A bill for the relief of Alexander W. Grinsel; to the Committee on Claims.

H. R. 2359. A bill for the relief of E. J. Ede; to the Committee on Claims.

By Mr. LeCOMPTE:

H. R. 2360. A bill for the relief of J. P. Harris; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 2361. A bill for the relief of the Meadow Brook Club; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

379. By Mr. ROLPH: Resolution of the Builders' Exchange of San Francisco, Calif., relative to amending the National Social Security Act to cover self-employed persons of the contracting industry; to the Committee on Ways and Means.

380. Also, resolution of the local Pattern Makers Association of San Francisco, Calif., relative to amending the National Social Security Act, so as to include all cemetery employees within the benefits and provisions of this act; to the Committee on Ways and Means.

381. By Mr. MOTT: Senate Joint Memorial No. 11 of the Senate of the State of Oregon, the House of Representatives jointly concurring therein, memorializing the Congress

of the United States to enact the Mott bill, H. R. 1288, to the end that local government may continue to function unimpaired and the total costs of the war efforts may be evenly distributed; to the Committee on the Public Lands.

382. Also, Senate Joint Memorial No. 13 of the Forty-second Legislative Assembly of the State of Oregon, memorializing the President of the United States, the Secretary of War, and the Director of the Budget to appropriate immediately the necessary money to purchase the 195 acres of additional land now available and adjacent to the Lincoln Memorial Cemetery in Portland, Oreg., and that said property, together with the 5 acres located in the Soldiers, Sailors, and Marine Cemetery and the adjacent 15 acres purchased by the State of Oregon for a veterans' cemetery, be established and maintained as a national cemetery; to the Committee on Appropriations.

383. By Mr. BURDICK: Petition of the Twenty-eighth Legislative Assembly of the State of North Dakota; to the Committee on Indian Affairs.

384. By Mr. GRAHAM: Petition of 29 citizens of Lawrence County, Pa., urging enactment of liquor advertising bill, S. 569, making it unlawful for any newspaper, periodical, newsreel, photographic film, or record advertising beverages, to be carried in the mails, by railroad, or by any common or private carrier from one State to another; to the

Committee on Interstate and Foreign Commerce.

385. By Mr. HULL: Petition of 24 citizens of Elmwood, Pierce County, Wis., supporting House bill 997 and Senate bill 216; bills proposing the establishment of a Pharmacy Corps in the United States Army; to the Committee on Military Affairs.

386. By Mr. THOMASON: Petition of the Trans-Pecos Teachers Association, El Paso, Tex., urging enactment of Senate bill 637, providing Federal aid for public schools; to the Committee on Education.

387. By Mr. GRAHAM: Petition of 30 citizens of Lawrence County, Pa., urging enactment of military camps liquor abolishment bill, S. 860, which is again introduced by Senator W. LEE O'DANIEL; to the Committee on Military Affairs.

388. Also, petition of 28 citizens of Lawrence County, Pa., urging the enactment of House bill 1548, introduced by Representative SAM M. RUSSELL, providing for common defense, and protection of health and morals of persons in military or naval forces of the United States; to the Committee on Military Affairs.

389. By Mr. HULL: Petition of 22 citizens of Galesville, Trempealeau County, Wis., supporting House bill 997 and Senate bill 216, bills proposing the establishment of a Pharmacy Corps in the United States Army; to the Committee on Military Affairs.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 1943

Referred to the Committee on Military Affairs

MARCH 31, 1943

Committed to the Committee of the Whole House on the state of the Union
and ordered to be printed

AN ACT

Relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) in the classification, reclassification, or deferment,
4 under section 5 (c) (2) or section 5 (e) of the Selective
5 Training and Service Act of 1940, as amended, of persons
6 employed in or under the Federal Government, no considera-
7 tion shall be given to the fact that any such person is so
8 employed, unless a request for the deferment of such person
9 shall have been made (1) in accordance with the provisions
10 of Executive Order Numbered 9309, dated March 6, 1943,
11 in the case of persons employed in the executive branch of
12 the Government, or (2) in accordance with the provisions

1 of subsection (b) of this section in the case of persons em-
2 ployed in the judicial or legislative branches of the Govern-
3 ment.

4 (b) There is hereby established (1) a committee in
5 the judicial branch of the Government to consist of such
6 persons in the judicial branch of the Government as may be
7 appointed to such committee by the Chief Justice of the
8 United States, and (2) a committee in the legislative branch
9 of the Government to consist of three Members of the Senate,
10 to be appointed by the President of the Senate, and three
11 Members of the House of Representatives to be appointed
12 by the Speaker of the House. The committees established
13 under this subsection shall have powers and duties with re-
14 spect to officers and employees in their respective branches
15 of the Government corresponding to the powers and duties
16 of the committees established pursuant to Executive Order
17 Numbered 9309, and shall make all requests for selective-
18 service occupational deferment of officers or employees in
19 their respective branches of the Government; and no request
20 for the occupational deferment of any such officer or em-
21 ployee shall be considered by any local board unless it has
22 been made by one of such committees. In exercising their
23 functions under this section such committees shall, as far as
24 practicable, follow the procedures and standards set forth in

1 such Executive Order Numbered 9309; and the provisions
2 of such Executive order, insofar as they are not inconsistent
3 with this subsection, shall be deemed to apply with respect
4 to persons employed in the judicial and legislative branches
5 of the Government, except that this section shall not be
6 deemed to confer upon the Chairman of the War Manpower
7 Commission or the Review Committee on Deferment of
8 Government Employees any jurisdiction with respect to such
9 persons.

10 (c) Beginning sixty days after the date of enactment
11 of this Act, the Director of Selective Service shall make
12 monthly reports to the Congress showing, as nearly cur-
13 rently as is practicable, the names and positions of the
14 persons who have been deferred or placed in any class or
15 subdivision of a class under such sections 5 (c) (2) or 5
16 (e) because of their employment in or under the Federal
17 Government, and showing whether or not requests for the
18 deferment of such persons have been made in accordance
19 with such Executive order or subsection (b) of this section;
20 and such Director shall obtain from the selective-service
21 local boards, and from the several departments and agencies
22 of the Federal Government, such information as may be
23 necessary for this purpose.

24 (d) For the purposes of this section and Executive Order

- 1 Numbered 9309, the Government Printing Office and the
- 2 Library of Congress shall each be deemed to be an agency
- 3 in the executive branch of the Government.

Passed the Senate March 26 (legislative day, March 23), 1943.

Attest:

EDWIN A. HALSEY,

Secretary.

Union Calendar No. 113

78TH CONGRESS
1ST Session

S. 886

[Report No. 333]

AN ACT

Relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government.

MARCH 27, 1943

Referred to the Committee on Military Affairs

MARCH 31, 1943

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

SELECTIVE-SERVICE DEFERMENT, ON OCCUPATIONAL GROUNDS, OF PERSONS EMPLOYED BY THE FEDERAL GOVERNMENT

MARCH 31, 1943.—Committed to the Committee of the Whole House on the
state of the Union and ordered to be printed

Mr. MAY, from the Committee on Military Affairs, submitted the
following

REPORT

[To accompany S. 886]

The Committee on Military Affairs, to whom was referred the bill
(S. 886) relating to the selective-service deferment, on occupational
grounds, of persons employed by the Federal Government, having
considered the same, submit the following report thereon, with the
recommendation that it do pass:

On March 6, 1943, the President published Executive Order No.
9309, printed hereafter, establishing a policy governing the deferment
from military service of employees in the executive department of the
Government.

The proposed legislation affirms the provisions of Executive Order
No. 9309, extends a similar policy to employees of the legislative and
judicial branches of the Federal Government, and provides that the
names of persons deferred shall be sent to the Congress.

The President's Executive order in question reads as follows:

EXECUTIVE ORDER

CONTROLLING GOVERNMENT REQUESTS FOR THE SELECTIVE SERVICE DEFERMENT OF FEDERAL EMPLOYEES

By virtue of the authority vested in me by the Constitution and statutes
(including the Selective Training and Service Act of 1940, as amended) as Presi-
dent of the United States, and in order to further the prosecution of the war by
conserving and most effectively utilizing manpower and by systematizing the
handling of necessary selective service occupational deferment of employees in
the executive branch of the Federal Government, it is ordered as follows:

I. LIMITATIONS ON RIGHT TO REQUEST OCCUPATIONAL DEFERMENT

1. No agency shall request the selective-service deferment of any employee on occupational grounds except in accordance with the provisions of this Order. No employee shall initiate a request for his own deferment on occupational grounds or advocate the making of such a request on his own behalf.

2. No such request shall be made unless it is determined, in the manner herein provided, that the employee's civilian services are essential in that the loss thereof would substantially impair activities essential to the war effort (including necessary supporting activities and the maintenance of the national health, safety, and interest). In determining whether such an employee's services are thus essential consideration shall be given to all relevant factors, including the actual effectiveness of the employee, the difficulty of replacing him, his age, his qualifications, his assignment to duties outside the continental United States, and the length of his service in the position he occupies or in positions with comparable duties.

3. No such request shall be made for a period longer than is deemed to be absolutely necessary nor for a period of more than six months.

II. ESTABLISHMENT OF COMMITTEES

1. The Chairman of the War Manpower Commission (hereinafter referred to as the Chairman) shall designate, with the approval of the President, a chairman and two members of a War Manpower Commission committee to be known as the Review Committee on Deferment of Government Employees (hereinafter referred to as the Review Committee). Such Committee shall be subject to the supervision and direction of the Chairman.

2. The head of each agency shall designate a Committee on Deferment of Government Employees (hereinafter referred to as an Agency Committee), of three to five members possessing a comprehensive view of the needs of the agency. For the purposes of this Order the Government of the District of Columbia shall be deemed to be an agency. Each Agency Committee shall be subject to the supervision and direction of the head of the agency.

3. When authorized by the Review Committee, the head of any agency may also designate regional committees whenever the number and geographical distribution of the personnel of the agency make such action desirable. Within their respective areas such regional committees shall have the authority and responsibility of an Agency Committee; and as used in this Order the term "Agency Committee" shall include a regional committee established under this section.

III. DESIGNATION OF KEY POSITIONS

1. Each Agency Committee, with the approval of the head of the agency, shall submit to the Review Committee for its approval a list of those positions in the agency deemed necessary to carry out activities essential to the war effort or to necessary supporting activities. All such positions approved by the Review Committee shall be known as key positions. The Review Committee, either on its own motion or upon recommendation made by the Agency Committee and approved by the head of the agency, may revise the list of key positions of that agency as conditions warrant.

2. Key positions shall be limited to positions involving serious difficulty of replacement because a scarcity of available qualified personnel exists and because any incumbent of the position must have had, in order to perform the duties effectively, an extended period of training or specialized experience. The designation of key positions shall be further governed by the following criteria:

(a) The work is of a responsible administrative, executive, or supervisory character in activities directly related to the war effort, or to the essential maintenance of orderly government (including the maintenance of the health, morale, and security of the Nation); or

(b) The work is a part of the actual production, transportation, or handling of war materials, equipment, or commodities, or of the maintenance or operation of war equipment, or of the transportation of war personnel; or

(c) The work is of a professional, semiprofessional, or highly specialized character, requiring extended training, in an occupation where a known scarcity of manpower exists; or

(d) The work usually requires male employees because of peculiar circumstances or requisite physical abilities, including the occupations of seamen, investigatory agents, forest rangers, border patrolmen, prison guards, and other comparable occupations wherein replacement within necessary age limits is difficult.

IV. REQUESTS FOR DEFERMENT

1. In accordance with the provisions of this Order, and subject to the limitations set forth in Part I hereof, an Agency Committee may, in cases not covered by the Replacement Schedule procedure set forth in paragraph 5 of this Part, prepare and submit to the appropriate local selective service board a request for the occupational deferment of—

(a) Any employee of the agency who occupies a key position and whose civilian services are essential within the meaning of paragraph 2 of Part I hereof.

(b) Any employee of the agency not occupying a key position whose civilian services are essential within the meaning of paragraph 2 of Part I hereof, if unusual and special circumstances, such as the employee's unique fitness for the work or unique familiarity with a specific project in the course of completion make such deferment request necessary. No request for deferment shall be made under this subparagraph except with the prior specific approval of the Review Committee.

2. Subject to the conditions set forth in this Order, the Agency Committees shall make all requests for selective service occupational deferment of employees of their respective agencies, and shall prepare and submit such requests to local selective service boards in accordance with selective service regulations.

3. In preparing the prescribed selective service form for submitting a request for occupational deferment to the local selective service board, the Agency Committee shall enter on such form the words "Government Request," and shall also indicate thereon the name of the agency and the subordinate part thereof in which the registrant is employed.

4. In any case in which a Government request for deferment is denied by a local selective service board, the Agency Committee concerned shall at once file an appeal from such action. The appeal shall stay the induction of the employees affected until final decision in the case.

5. The Chairman, upon his own motion or upon recommendation made by an Agency Committee and approved by the head of the agency, shall determine, after consultation with the Review Committee, those manufacturing, servicing, operating, and transporting activities of an agency or part thereof with respect to which deferment problems can be best met through use of manning tables and replacement schedules. He shall thereupon direct the head of the agency concerned to prepare and use, with respect to those activities or organizations, manning tables and replacement schedules, in accordance with the regulations prescribed by the Chairman. Such agency or part thereof shall thereafter be exempt from the provisions of Part III of this Order (providing for the designation of key positions) and the provisions of this Order governing the making of requests for deferment of employees to the extent and in the respects provided in the regulations of the Chairman.

V. VOLUNTARY ENTRANCE INTO ARMED FORCES

1. Unless an Agency Committee has requested or would request deferment of an employee under this Order, the agency, upon his request, shall grant him a release to enter the armed forces voluntarily in a commissioned or enlisted status.

2. If an Agency Committee has requested or would request deferment of an employee under this Order, the agency shall deny him such a release unless it is determined that—

(a) The employee is likely to be assigned to active combat service; or

(b) The employee's skills and ability probably will be utilized equally or more effectively in the armed forces.

3. In the case of an employee who is in a deferred classification, or who is not subject to induction, for reasons unrelated to his occupation such a release shall be granted or denied without regard to such reasons, in accordance with the provisions of paragraphs 1 and 2 of this Part.

4. When an Agency Committee denies release of an employee, such action shall upon his request be reviewed by the Review Committee. The Agency Committee shall be notified of the final decision, and if the denial is affirmed, such committee shall immediately notify the employee's local selective service board.

VI. DEPENDENCY—OCCUPATIONAL RECLASSIFICATION

Agency Committees may make requests for the selective service reclassification from Class III-A to Class III-B of employees other than those engaged in occupations designated by the Chairman as nondeferable. Such requests shall be made in accordance with standards, to be prescribed by the Chairman, for determining the relationship of employees' activities to the war effort, which standards shall conform, as nearly as may be, to the standards applicable to such reclassification in the case of persons not in the Federal service.

VII. GENERAL PROVISIONS

1. Under regulations to be prescribed by the Chairman, the Agency Committee in each agency shall supervise the preparation and maintenance, on a current basis, of adequate statistics on the selective-service status of its male employees, and on related matters, which shall be summarized and reported to the Review Committee at periodic intervals.

2. Heads of agencies shall issue special instructions to insure that an employee will immediately report through proper channels any change in his selective-service status or the receipt of notice to report for induction.

3. Each agency shall plan and carry out an orderly program of replacement and training occasioned by the entry or prospective entry of employees into the armed forces, on the basis of the information provided for in paragraph 1 of this Part of this Order.

4. The Chairman shall from time to time make recommendations to the Director of the Bureau of the Budget, based on information and experience acquired in the administration of this Order, for the effective utilization of the services of Government employees with respect to the conservation of manpower.

5. Under regulations to be prescribed by the Chairman, the several agencies shall submit to the Review Committee periodic reports concerning all action taken under this Order. The Review Committee shall currently review such reports and shall consult with Agency Committees with respect to any departures from this Order. The Review Committee may also designate representatives to attend meetings of Agency Committees. Such representatives shall at all times have full access to all records of such Committees.

6. The Chairman shall report to the President, at intervals of not more than three months, with respect to the administration of this Order and shall make recommendations to the President with respect to such modifications of this Order as he may deem advisable.

7. The Chairman may suspend the authority of any Agency Committee to submit requests for deferment if the Agency Committee submits requests in violation of this Order.

8. A request for deferment of an employee may be cancelled by the Review Committee if it determines that the request was made in violation of this Order.

9. The Chairman shall furnish copies of this Order to all local selective service boards.

10. The Chairman may delegate any of his duties and powers under this Order to any officer or employee of the War Manpower Commission and may utilize the services of any Federal officer, employee, or agency.

11. The Chairman shall prescribe such regulations as may be necessary to carry out the purposes of this Order, including such additional criteria for the designation of key positions as he may deem necessary.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 6, 1943.

Those provisions of the Selective Training and Service Act of 1940 (Public Law 783, 76th Cong.), as amended, which constitute the basis of the foregoing Executive order, are as follows:

Section 5 (c) (2): The President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this act in the land and naval forces of the United States of any person holding an office (other than an office described in paragraph (1) of this subsection) under the United States or any State, Territory, or the District of Columbia, whose continued service in such office is found in accordance with section 10 (a) (2) to be necessary to the maintenance of the public health, safety, or interest.

Section 5 (e): The President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this act in the land and naval forces of the United States of those men whose employment in industry, agriculture, or other occupations or employment, or whose activity in other endeavors is found in accordance with section 10 (a) (2) to be necessary to the maintenance of the national health, safety, or interest. The President is also authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this act in the land and naval forces of the United States (1) of those men in a status with respect to persons dependent upon them for support which renders their deferment advisable, and (2) of those men found to be physically, mentally, or morally deficient or defective. No deferment from such training and service shall be made in the case of any individual except upon the basis of the status of such individual, and no such deferment shall be made of individuals by occupational groups or of groups of individuals in any plant or institution.



about 300 head of cattle and is able in his own right, from personal property and money he acquired by his own industry, to buy another farm. I appreciate that one of these days this Congress is going to correct these matters and it would be good to set a precedent now, regardless of whether this amendment may be subject to the point of order raised against it.

I want to make a statement now that when any kind of a bill is presented to this Congress affecting this dam or the creation of the authority, I am going to do my level best to see that Oklahoma homeowners and subdivisions of government and the credit of the fair State of Oklahoma are protected. Oklahoma is a State of oil, a State of coal, a State of grain. Oklahoma is one of the large taxpayers of the 48 States that helps provide the fabulous sums of money that we expend here. It is seldom you ever read any glaring headlines from Oklahoma, but Oklahoma's taxes are paid into the national till to take care of this Government; and a great many other States do not pay as much taxes. We have oil and grain and coal. The Baruch committee was appointed. They drew up a synthetic-rubber program. The vital things were coal, oil, and grain. Oklahoma has all these materials in abundance, but Texas got 11; I do not know how many Louisiana got, but out of 17 Oklahoma did not get a single plant. They are building a pipe line of 20 or 24 inches from Texas, running through Arkansas, yet missing the largest producing State outside of Texas in the Southwest in oil production to take care of the east part of the United States oil and gas needs.

(By unanimous consent, Mr. STEWART was granted permission to revise and extend his remarks.)

Mr. STARNES of Alabama. Mr. Chairman, the committee is appreciative of the deep interest of the gentleman in the welfare of his State and his people, but his remedy lies in an appeal to a legislative committee. So the committee must insist upon the point of order.

The CHAIRMAN (Mr. THOMASON). The Chair believes the amendment is legislation on an appropriation and, therefore, sustains the point of order.

The Clerk concluded the reading of the bill.

Mr. STARNES of Alabama. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMASON, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 2346, and directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. STARNES of Alabama. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my remarks, first, to insert in the RECORD a poem, I Am Music, by Milton Bacon; and, second, that I may extend my remarks and include the citation awarding the Distinguished Flying Cross to Lt. William I. Martin.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

SELECTIVE-SERVICE DEFERMENT ON OCCUPATIONAL GROUNDS OF FEDERAL EMPLOYEES

Mr. MAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 886) relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. ANDREWS. Mr. Speaker, reserving the right to object, will the gentleman make a brief statement with reference to this bill?

Mr. MAY. Mr. Speaker, this bill is enacted pursuant to and in order to comply with a section of the Selective Service and Training Act which provides for the deferment of men from the armed forces in groups or classes.

The President on March 6, 1943, entered an Executive order with reference to the executive departments of the Government. This bill merely carries the provisions of that Executive order over to the legislative and judicial departments of the Government by authorizing the appointment by the Vice President as Presiding Officer of the United States Senate, three Members of the Senate, and by authorizing the Speaker of the House of Representatives to appoint three Members of the House to act in each body on behalf of the employees of the respective Houses of Congress in all matters pertaining to deferment from military service or any other matters arising in connection with their rights under the Selective Service System. It also applies to the judicial department and authorizes the Chief Justice of the Supreme Court to make a like appointment for the same purpose.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) in the classification, reclassification, or deferment, under section 5 (c) (2) or section 5 (e) of the Se-

lective Training and Service Act of 1940, as amended, of persons employed in or under the Federal Government, no consideration shall be given to the fact that any such person is so employed, unless a request for the deferment of such person shall have been made (1) in accordance with the provisions of Executive order No. 9309, dated March 6, 1943, in the case of persons employed in the executive branch of the Government, or (2) in accordance with the provisions of subsection (b) of this section in the case of persons employed in the judicial or legislative branches of the Government.

(b) There is hereby established (1) a committee in the judicial branch of the Government to consist of such persons in the judicial branch of the Government as may be appointed to such committee by the Chief Justice of the United States, and (2) a committee in the legislative branch of the Government to consist of three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House of Representatives to be appointed by the Speaker of the House. The committees established under this subsection shall have powers and duties with respect to officers and employees in their respective branches of the Government corresponding to the powers and duties of the committees established pursuant to Executive order No. 9309, and shall make all requests for selective-service occupational deferment of officers or employees in their respective branches of the Government; and no request for the occupational deferment of any such officer or employee shall be considered by any local board unless it has been made by one of such committees. In exercising their functions under this section such committees shall, as far as practicable, follow the procedures and standards set forth in such Executive order No. 9309; and the provisions of such Executive order, insofar as they are not inconsistent with this subsection, shall be deemed to apply with respect to persons employed in the judicial and legislative branches of the Government, except that this section shall not be deemed to confer upon the Chairman of the War Manpower Commission or the Review Committee on Deferment of Government Employees any jurisdiction with respect to such persons.

(c) Beginning 60 days after the date of enactment of this act, the Director of Selective Service shall make monthly reports to the Congress showing, as nearly currently as is practicable, the names and positions of the persons who have been deferred or placed in any class or subdivision of a class under such sections 5 (c) (2) or 5 (e) because of their employment in or under the Federal Government, and showing whether or not requests for the deferment of such persons have been made in accordance with such Executive order or subsection (b) of this section; and such Director shall obtain from the selective-service local boards, and from the several departments and agencies of the Federal Government, such information as may be necessary for this purpose.

(d) For the purposes of this section and Executive order No. 9309, the Government Printing Office and the Library of Congress shall each be deemed to be an agency in the executive branch of the Government.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may have permission to extend his own remarks in the RECORD and to include

therein several letters written by the local Dairymen's Association of Rhode Island to the State's milk consumers and also an item of news published in the Providence Evening Bulletin of March 24 on the same subject; and also that he may extend his remarks in the RECORD and include an article appearing in the Providence Visitor of March 11, 1943.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. WICKERSHAM]?

There was no objection.

[The matters referred to appear in the Appendix.]

Mr. CRAWFORD. Mr. Speaker, I wish to submit two unanimous-consent requests, first, that I may extend my own remarks in the RECORD and include a letter from the War Department on the question of release of men from the military forces for agricultural work, and in the other to include a letter I have received from the North Carolina Cotton Growers' Cooperative Association.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

[The matters referred to appear in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent that on Tuesday next, after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. VORYS]?

There was no objection.

EXTENSION OF REMARKS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech I delivered at Worcester, Mass., on March 28, 1943, before the Mu Lambda Pi Society, and entitled "The Glorious Greeks."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. PHILBIN]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a short newspaper article in connection with the statement I made this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. GILLIE]?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. BRADLEY] is recognized for 1 hour.

Mr. BRADLEY of Michigan. Mr. Speaker, last Wednesday I promised to take the floor and expose the nefarious activities of David K. Niles in setting up

potentially the greatest, most dangerous and unscrupulous political machine known in all time, in any nation.

Mr. David K. Niles is clever. He is a shrewd, wily, dangerous practical politician. But this time even a dumb Congressman like myself can see through his schemes.

Mr. David K. Niles is the plump, bespectacled little one-time Boston radical into whose very competent hands the White House has entrusted the behind-the-scenes management of the fourth-term campaign. Chairman Frank Walker of the Democratic National Committee will be the front man. But it is David K. Niles and his pal Harry Hopkins who are doing the inside work—the men who are making the plans and issuing the orders.

By the way, Mr. Speaker, almost 3 years ago when I prepared and delivered a speech on this floor, I had been informed by sources which I then considered reliable that Mr. Niles was related to Mr. Hopkins by marriage. Last week, Wednesday, when I made a brief speech on this floor, I referred to that previous statement—which had gone unchallenged during this 3-year period. I am frank to say that I am as equally convinced now from representations which have come to me from a number of sources, and especially from at least three Members of this House, for whose judgment and veracity I have the most profound regard, that they are not so related and, therefore, Mr. Speaker, I am more than pleased to retract that statement, and sincerely apologize to both Messrs. Niles and Hopkins.

However, for the purposes of the present speech which I am making, I do not see that that makes any difference whatsoever, for the simple reason that both Mr. Hopkins and Mr. Niles have been so closely affiliated over the years that they might at least be said to be political brothers under the skin.

As far as David Niles is concerned, I have been informed recently—and I think rather accurately—by close neighbors of his in the Roxbury district of Boston, Mass., about some of his personal background. They tell me that his real name was originally David K. Neyhus. His father's name was Asher S. Neyhus, a tailor by trade, while his mother's name is Sophia Neyhus, and she was born in Russia. As a matter of fact, according to local voting records, he records himself as living with his mother, Sophia Neyhus, at 134 Homestead Street, Roxbury district, and with no political party affiliations. He has always listed himself as a director of the Ford Hall Forum, in the Boston directories, never as holding any Washington or Government position. One correspondent writes me as follows:

Ford Hall Forum is recognized here as being the sounding platform for speakers and lecturers mostly of the Communist viewpoint. Many of the quick-type titled "professors" and so-called lecturers are circuit speakers of the Frankfurter circle. Many people here (that is, in Roxbury) have for years sought the answer of why the Neyhus brothers changed their name to Niles. One of David's brothers, Max Neyhus, still uses his family name. He is recorded as being married and

residing at 25 Temple Street, Boston. Another brother, Elliott A., uses the Niles name.

I have understood from other sources that brother Elliott was originally deferred from the draft by reason of a "nervous stomach," but is now reported as holding an Army commission, being Capt. Elliott A. Niles, attached to the Ordnance Department at 150 Causeway Street, Boston, and having something to do with the export of lend-lease supplies. It is my understanding that brother Elliott operates a profitable paper company in Boston, doing much business with the Government on wholesale orders and by reason of his present proximity to his business, it is reasonable to assume that he can, at least, exercise a supervisory function in his own organization during his spare time. A third brother, William, who has adopted the Niles name, is reported to be in the Navy, but just how far he has as yet strayed from home I do not know. I have been told further that careful search has revealed that there is no official record in the archives of the State of Massachusetts, or in Boston, of the name Neyhus having been changed to Niles, so I do not know just how, when, or where the change was brought about.

Mr. David K. Neyhus—or Niles if you prefer—happens to be among that class of select men whom the President at one time said he liked to have close to him—men with a passion for anonymity. But before much time has passed we will make him one of the best-known and most notorious figures in the country.

Mr. Niles' passion for anonymity is due to be frustrated. He is going to bask, however unhappily, in the white spotlight of publicity.

In attempting to foist a fourth term on this unwilling country, Mr. Niles will stop at nothing. He will prey—he is preying—upon the patriotism of decent, loyal Americans. He is preying upon the loves and fears of the mothers and fathers of this country, whose sons and daughters are in the service.

He is building his stupendous political machine within the Office of Civilian Defense, the Office of War Information, and other Government bureaus. And a fourth term is not his only goal. Beyond the fourth term he is plotting the imposition upon free America of a system of socialistic controls which would enslave America and crush all freedom and individual initiative.

His chief political weapon is the Office of Civilian Defense.

Even a short-haired Congressman can see that. Let us look at the proof.

The head of the Office of Civilian Defense is James M. Landis. Who is James M. Landis? He is the man who sat as a special referee to hear the evidence against Harry Bridges, the Communist west coast labor leader, in the first hearing for the deportation of Bridges.

James M. Landis is the man who wrote the report whitewashing the Communist Bridges with the weasel-worded finding that Bridges did not hold a card in the Communist Party at the time the deportation proceedings against him were begun.



April 8



[PUBLIC LAW 23—78TH CONGRESS]

[CHAPTER 33—1ST SESSION]

[S. 886]

AN ACT

relating to the selective-service deferment, on occupational grounds, of persons employed by the Federal Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in the classification, reclassification, or deferment, under section 5 (c) (2) or section 5 (e) of the Selective Training and Service Act of 1940, as amended, of persons employed in or under the Federal Government, no consideration shall be given to the fact that any such person is so employed, unless a request for the deferment of such person shall have been made (1) in accordance with the provisions of Executive Order Numbered 9309, dated March 6, 1943, in the case of persons employed in the executive branch of the Government, or (2) in accordance with the provisions of subsection (b) of this section in the case of persons employed in the judicial or legislative branches of the Government.

(b) There is hereby established (1) a committee in the judicial branch of the Government to consist of such persons in the judicial branch of the Government as may be appointed to such committee by the Chief Justice of the United States, and (2) a committee in the legislative branch of the Government to consist of three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House of Representatives to be appointed by the Speaker of the House. The committees established under this subsection shall have powers and duties with respect to officers and employees in their respective branches of the Government corresponding to the powers and duties of the committees established pursuant to Executive Order Numbered 9309, and shall make all requests for selective-service occupational deferment of officers or employees in their respective branches of the Government; and no request for the occupational deferment of any such officer or employee shall be considered by any local board unless it has been made by one of such committees. In exercising their functions under this section such committees shall, as far as practicable, follow the procedures and standards set forth in such Executive Order Numbered 9309; and the provisions of such Executive order, insofar as they are not inconsistent with this subsection, shall be deemed to apply with respect to persons employed in the judicial and legislative branches of the Government, except that this section shall not be deemed to confer upon the Chairman of the War Manpower Commission or the Review Committee on Deferment of Government Employees any jurisdiction with respect to such persons.

(c) Beginning sixty days after the date of enactment of this Act, the Director of Selective Service shall make monthly reports to the Congress showing, as nearly currently as is practicable, the names

and positions of the persons who have been deferred or placed in any class or subdivision of a class under such sections 5 (c) (2) or 5 (e) because of their employment in or under the Federal Government, and showing whether or not requests for the deferment of such persons have been made in accordance with such Executive order or subsection (b) of this section; and such Director shall obtain from the selective-service local boards, and from the several departments and agencies of the Federal Government, such information as may be necessary for this purpose.

(d) For the purposes of this section and Executive Order Numbered 9309, the Government Printing Office and the Library of Congress shall each be deemed to be an agency in the executive branch of the Government.

Approved April 8, 1943.